

Victorian Madmen: Broadmoor, Masculinity and the Experiences  
of the Criminally Insane, 1863-1900.

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## **Abstract**

Through an analysis of records from Broadmoor Criminal Lunatic Asylum, this PhD thesis sheds new light on current understandings of the asylum, masculinity and the relationship between medicine and the law in late-Victorian England and Wales. The material consulted includes a database containing the details of 2246 patients which was compiled from the Admissions Registers as part of this thesis, and the case files of 425 male patients. Newspaper reports, trial proceedings, Home Office records, and medical and legal publications are also consulted, as are publications that sought to define ideal behaviour for men. The sources are woven together to formulate accounts of the crimes committed, the subsequent trials, and defendants' experiences in Broadmoor. Through an examination of new evidence, this thesis surveys the history of the asylum, its staff, treatment and patients. An examination of paternal child-murderers questions the assumption that it was only women who were thought to be going against nature if they killed their child. An analysis of discourses on jealousy highlights that whilst crimes of passion existed in theory and were common narratives in popular culture, jealous wife and sweetheart murderers were subjects of legal and medical contention. Additionally, the thesis adds to current histories on medico-legal conflict in the late-nineteenth century and highlights the haphazard application of the M'Naghten Rules through the use of new examples. Finally, an examination of Broadmoor's insane convicts, as well as the publications and Addresses of Broadmoor's Superintendents, sheds new light on the question of the criminal, not only in theory but also regarding their treatment in a criminal lunatic asylum from the point of view of the press, Government, and Broadmoor's staff and patients.

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## **Abbreviations**

*BMJ – British Medical Journal*

BRO – Berkshire Record Office

HO – Home Office

NA – National Archives

A note on referencing:

Unless otherwise stated all referenced archival material is from the Berkshire Record Office and begins D/H14.

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## **Introduction**

In May 1863 Broadmoor Criminal Lunatic Asylum opened its doors: one-hundred female patients arrived that year, with the male patients following the year after. One hundred and forty-five years later the Broadmoor records were released for public viewing, allowing for the first time a fascinating insight into how patients were treated in, and experienced life inside, this infamous institution. This thesis is based on an examination of the asylum: its staff, treatment, and patients. Its particular focus is on the experiences and identities of the men who passed through the institution during its first four decades, asking what it meant to be a man, and in some cases a madman, in Victorian Broadmoor. It is based on an examination of 425 male case files taken from the Broadmoor archive, the opening of which presented a wonderful opportunity to re-examine some popular topics: Victorian asylums, the criminal, infanticide, jealousy and medico-legal conflict. It is not only an examination of the asylum, however, but of the crimes and the trials that led to the incarceration of its patients. In the case of convicted men, it considers how and why they ended up in Broadmoor after they were convicted. The examination of the archival material, alongside medical treatises, legal documents, trial transcripts, press reports and other social and cultural representations of crime and insanity, highlights not only contemporary attitudes towards crime and insanity, but gender and class also.

An examination of Broadmoor's female patients would have added a different dimension to the thesis. It would, however, have been difficult to discuss female admissions without repeating much that historians have already written regarding female criminality and femininity, as well as the treatment of women in Victorian asylums; an examination of almost 100 female case files suggests that Broadmoor's female patients



were not treated significantly differently from ordinary asylum patients. Moreover, Jonathan Andrews has already studied the treatment and discharge of Broadmoor's female child-murderers; a group that dominated female admissions into the asylum.<sup>1</sup> Women are not entirely absent from this thesis. In Chapters One, Four and Six women feature as correspondents, and through an examination of their letters we can see the financial and practical implications of having a husband committed to Broadmoor, and in Chapter Five women feature as the victims of crime. An examination of female case files may have enriched the discussions of masculinity that take place in this thesis; women's experiences could have been used as a lens upon the specificity of masculinity and the asylum, particularly in Chapter Two's examination of the treatment of men. The decision was taken, however, to focus upon men's subjective identities and experiences, and a detailed consideration of female experiences would have limited rather than added to this examination given the word limit. This dimension of the extensive Broadmoor records remains an area that would repay further, future scholarly investigations.

## **I. Provisions for the Criminally Insane**

The Criminal Lunatics Act (1800) gave the Sovereign powers to order the safe custody of criminal lunatics but contained 'no provision for defraying the expenses of their care and maintenance where they had not sufficient property of their own.'<sup>2</sup> As a result, criminal lunatics were detained in prisons and asylums.<sup>3</sup> In 1806 a Select Committee inquired into the state of criminal and pauper lunatics and the following year recommended the construction of a building for the 'confinement of all persons detained

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<sup>1</sup> Jonathan Andrews, 'The Boundaries of Her Majesty's Pleasure: Discharging Child-Murderers from Broadmoor and Perth Criminal Lunatic Department c. 1860-1920', in *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550-2000*, ed. by Mark Jackson (Aldershot: Ashgate Publishing, 2002), pp. 216-48.

<sup>2</sup> Richard Brayn, 'A Brief Outline of the Arrangements for the Care and Supervision of the Criminal Insane in England during the Present Century', *Journal of Mental Science*, 47 (April 1901), 250-260 (p. 252).

<sup>3</sup> W. C. Hood, *Suggestions for the Future Provision of Criminal Lunatics* (London: John Churchill, 1854), p.10.

under the Criminal Lunatics Act of 1800.’<sup>4</sup> Nothing was done until 1816 when two new criminal wards, one male and one female, opened at Bethlem.<sup>5</sup> Patient numbers quickly increased, however, resulting in mounting pressure for a separate institution.<sup>6</sup>

Numbers of criminal lunatics were not the only concern. In 1852, the Earl of Shaftesbury presented in the House of Lords a petition from the Chairman of the Visiting Magistrates of the Lunatic Asylum of Leicester, lobbying for a change in criminal lunacy law. He listed the reasons given by asylum Superintendents why ordinary and criminal lunatics should not be associated:

It is unjust to ordinary patients to associate them with persons branded with crime. The lunatic is generally very sensitive, and both he and his friends feel aggrieved and degraded by the association. The moral effect is bad. The conduct of criminal patients is frequently very violent; their habits and language, the result of previous habits, are frequently offensive, and their influence on other patients injurious and pernicious.<sup>7</sup>

Criminal lunatics were also perceived to be adversely affected by the association: ‘It exposes them to taunts from the other patients, and the stricter confinement imposed on themselves irritates them. They are irritated also when other patients are liberated, and they left in confinement.’<sup>8</sup> Reactions to Shaftesbury’s proposal for a criminal asylum were negative, primarily because of the perceived cost of such a venture. Shaftesbury withdrew his motion.<sup>9</sup>

Some alienists believed the lack of distinction between the criminal and the ordinary lunatic was harmful. Bethlem’s Superintendent, W. D. Hood, believed the association of the two classes resulted in the association of the ‘the most cruel murderer with the most harmless person’, which disturbed the discipline and treatment of ordinary

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<sup>4</sup> Ralph Partridge, *Broadmoor: A History of Criminal Lunacy and its Problems* (London: Chatto & Windus, 1953), p. 2.

<sup>5</sup> Brayn, ‘Brief Outline’, p. 252.

<sup>6</sup> Roger Smith, *Trial by Medicine: Insanity and Responsibility in Victorian Trials* (Edinburgh: Edinburgh University Press, 1981), p. 22.

<sup>7</sup> HL Deb 18 March 1852, vol. 119, col 1234.

<sup>8</sup> Ibid.

<sup>9</sup> HL Deb 18 March 1852, vol. 119, col 1244.

lunatics.<sup>10</sup> At Bethlem, all criminal lunatics were confined together regardless of their offence or mental condition. This led some journalists and physicians to express concern. The *Lady's Newspaper* depicted the male criminal wards at Bethlem as zoo-like: 'Here fifty male lunatics are herded together, without regard to their previous social or moral condition.' The wards were 'divided in the middle by gratings more like those which enclose the fiercer carnivora at the Zoological Gardens.'<sup>11</sup> Even Hood viewed the lack of classification at Bethlem with disdain:

We have in Bethlem [...] persons of good family, officers in the army and navy, literary men and artists, members of the learned professions; and many of these educated persons feel it an extreme hardship to be obliged to associate with convicted felons, whose insanity has only darkened and exaggerated the more revolting features of their character.<sup>12</sup>

But he rejected calls for a state criminal lunatic asylum based on cost, the inconvenience that would be caused to poor families unable to visit their relatives, and the belief that a criminal asylum 'would be regarded in the light of a Bastille – however well conducted – desecrated by no slight amount of popular odium.'<sup>13</sup>

John Charles Bucknill, the first president of the Medico-Psychological Association (1860-61), editor of the *Asylum Journal of Mental Science* (later the *Journal of Mental Science*), and co-author with Daniel Hack Tuke of the first comprehensive textbook on insanity, *A Manual of Psychological Medicine* (1858), expressed his concern

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<sup>10</sup> Hood, *Suggestions*, pp 10. 27. Also, John Charles Bucknill, *An Inquiry into the Proper Classification and Treatment of Criminal Lunatics: A Letter Addressed to Samuel Trehawke Kekewich* (London: John Churchill, 1851), p. 10. Physician C. M. Burnett rejected claims that there were differences between the two classes of lunatic. He proposed that a change in legislation, not a criminal lunatic asylum, was the answer to the defectiveness of the law. *What Shall We Do With the Criminal Lunatics? A Letter Addressed to the Right Honourable Lord St. Leonards, on the Introduction of His New Lunacy Bills* (London: Highly and Son, 1853), p. 24.

<sup>11</sup> 'Criminal Lunatics at Bethlem', *Lady's Newspaper*, 9 May 1857, p. 293.

<sup>12</sup> Hood, *Suggestions*, p.13.

<sup>13</sup> Hood quoted in David Nicolson, 'A Chapter in the History of Criminal Lunacy in England', *Journal of Mental Science*, 23 (July 1877), 165-185 (p. 176).

that the cheerless and wretched condition of Bethlem's galleries and yards meant there could be no attempt at treatment:<sup>14</sup>

It is not a modern prison, for there is no corrective discipline; it is not a hospital, for suitable treatment is impossible; it is not an asylum for the relief and protection of the unfortunate, for it is one of the most gloomy abodes to be found in the metropolis. It is simply a receptacle; into which the waifs of the criminal law are swept, out of sight and out of mind.<sup>15</sup>

The Association of Medical Officers of Asylums and Hospitals for the Insane, of which Bucknill was a member, called for the removal of criminal lunatics from Bethlem, a place they referred to 'as a prison and a grave'; a place reportedly so tedious that it inspired them to quote the line of the Italian poet, Dante: 'Who enters here must leave all hope behind.'<sup>16</sup> They wished to see in England the construction of a criminal lunatic asylum similar to that in Dundrum, Ireland.

Influenced by the 1800 Criminal Lunatics Act in Britain, the Lunacy Ireland Act (1821) provided the basis for an acquittal on the grounds of insanity and the confinement of criminal lunatics in prisons or asylums. In early nineteenth-century Ireland, much like in Britain, debates occurred regarding the seemingly unsatisfactory confinement of criminal lunatics alongside sane prisoners and ordinary lunatics. In 1843, the same year the trial of Daniel McNaughton took place in London, as is discussed later, the decision was made to build Dundrum; it opened in 1850. The treatment of patients was of the moral kind: they were surrounded by acres of land, worked at their trade, read books and provided with various amusements. The use of restraint and seclusion was restricted to the most violent patients.<sup>17</sup> Bucknill and his colleagues viewed Dundrum as a place

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<sup>14</sup> Andrew Scull, 'Bucknill, Sir John Charles (1817-1897)', *Oxford Dictionary of National Biography*, Oxford University Press, Sept 2004; online edn, may 2006 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/3874>, accessed 29 July 2010].

<sup>15</sup> John Charles Bucknill, *Unsoundness of the Mind in Relation to Criminal Acts*, 2<sup>nd</sup> edn (London: Longman, Brown, Green, Longmans & Roberts, 1857), p. 119.

<sup>16</sup> Bucknill, *Classification*, p. 10.

<sup>17</sup> For Dundrum, Pauline Prior, *Madness and Murder: Gender, Crime and Mental Disorder in Nineteenth-Century Ireland* (Dublin & Portland, OR: Irish Academic Press, 2008).

‘where [...] a “happy valley” is formed to make loss of liberty not irksome but delightful.’<sup>18</sup> Lord Shaftesbury also perceived the asylum positively, believing that it proved the disassociation of criminal and ordinary lunatics was beneficial.<sup>19</sup>

Throughout the early to mid 1850s, Lords and MPs stood in Parliament to ask whether the Government had any intention of building a criminal lunatic asylum. The general consensus appeared to be for such a venture, based primarily on the fears regarding the association of criminals and lunatics and the contention that ‘it was improper to convert a prison into an asylum, so it was improper to make an asylum a prison, for the rules and regulations of the one and the other were altogether different.’<sup>20</sup>

In 1856, both the Bethlem and Fisherton House criminal wards were declared full, and the following year the Government announced its plans to build a criminal lunatic asylum.<sup>21</sup> The Criminal Lunatics Bill (the ‘Broadmoor Act’) was passed in 1860 to make ‘better provision for the custody and care of criminal lunatics.’<sup>22</sup> It made the provision for Broadmoor and for its annual inspection by the Lunacy Commissioners. Following a transfer from Britain’s asylums and prisons, the female patients arrived in 1863. The male patients arrived the following year.<sup>23</sup> There were two classes of patient in the asylum. First, men and women who had been found insane before or during their trials who were known as Queen’s pleasure patients. Second, there were insane convicts; men and women who had become insane whilst undergoing a term of penal servitude and were transferred

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<sup>18</sup> Bucknill, *Classification*, p. 10.

<sup>19</sup> HL Deb 18 March 1852, vol. 119, col 1235.

<sup>20</sup> HL Deb 9 March 1855, vol. 137, col 335. Similar arguments were raised in the House of Commons, HC Deb 7 May 1855, vol. 138, col 198 and HC Deb 7 April 1856, vol. 141, col 622. Some MPs, journalists and physicians disagreed with calls for a criminal asylum. They feared it would lead to a ‘shamming of madness’. ‘Insanity and Crime’, *John Bull*, 17 April 1852, p. 249; ‘Murder and Insanity’, *John Bull*, 11 February 1856, p. 89; Bucknill, *Classification*, p. 19.

<sup>21</sup> ‘Medio-Paliamentary’, *Lancet*, 25 July 1857, p. 96. For the treatment of criminal lunatics in the early-mid nineteenth century, Smith, *Trial*, pp. 20-33.

<sup>22</sup> Criminal Lunatic Asylum. A Bill to Make Better Provision for the Custody and Care of Criminal Lunatics, 1860 (175) 11.811.

<sup>23</sup> ‘Supervision of the Criminal Insane in the Past Century’, *Lancet*, 11 May 1901, p. 1354.

to Broadmoor from prison until their sentences expired and they were discharged to another asylum or released, or they were declared sane and sent back to prison until their sentences expired. But who were these patients, why were they in Broadmoor and how did they experience life in the asylum? These are just some of the questions addressed in this thesis.

## **II. Literature Review**

Owing to the scope of this thesis, the literature consulted has been broad. What follows is an overview of the main bodies of literature on male madness, criminal trials, the treatment of criminal lunatics, masculinity and the history of the emotions. In addition, each chapter will introduce more specialist bodies of literature, including scholarship on the history of asylums, the criminal, infanticide, jealousy, domestic violence, medico-legal conflict and wrongful confinement.

### **a) Male Madness**

Historians of medicine have explored the physical and moral traits believed to cause male madness in the nineteenth century. Beliefs about a relationship between medicine and sexual behaviour have been well documented, including both masturbation and homosexuality.<sup>24</sup> Through an examination of medical literature and autobiographies, Janet Oppenheim, amongst others, has examined the anxieties and emotions that were perceived to drag middle-class men into the depths of despair and possible insanity: overwork; financial loss or gain; grief; disappointment; and shock.<sup>25</sup> Madness amongst

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<sup>24</sup> Diane Mason, *The Secret Vice: Masturbation in Victorian Fiction and Medical Culture* (Manchester: Manchester University Press, 2008); Angus McLaren, *The Trials of Masculinity: Policing Sexual Boundaries, 1870-1930* (Chicago: The University of Chicago Press, 1997), pp. 219-220; Janet Oppenheim, *Shattered Nerves: Doctors, Patients and Depression in Victorian England* (New York: Oxford University Press, 1991), pp. 176-178.

<sup>25</sup> Oppenheim, *Shattered Nerves*, pp. 155-156. Also, Maria H. Frawley, *Invalidism and Identity in Nineteenth-Century Britain* (Chicago and London: The University of Chicago Press, 2004), pp. 44-47.

working-class males has received less attention. Through an examination of working-class autobiographies and court appearances, historians of masculinity have shown that some men were acutely aware of the pressures placed upon them to protect and provide for their families.<sup>26</sup> Julie-Marie Strange shows that working-class men sometimes suffered profound grief following the death of a child.<sup>27</sup> The extent to which grief and the pressures associated with being male caused insanity amongst the working classes has yet to be fully examined, but Victor Bailey's study of Victorian suicide adds to present understandings of the topic. Bailey examines 700 coroners' reports of suicides (male and female) from the poverty-stricken town of Kingston-upon-Hull. Examining the causes of suicide in relation to the life-cycle (young adult, adult, old age, and advanced old age), Bailey found that the impetus for suicide amongst young male adults included strong emotions associated with the passage from adolescence to marriage and romantic disappointment.<sup>28</sup> Amongst adults and the aged, poverty, the fear and threat of failure, and unemployment were all common causes of suicide.<sup>29</sup> In Chapters Four and Five of this thesis, it is shown that not only did such fears and emotions lead to suicide, as Bailey shows, but to crime and insanity also. An examination of the cases of men committed to Broadmoor thus adds to current understandings of the causes of male madness in the nineteenth century. Indeed, trial proceedings, press reports, and patients' letters all provide access to the voices of working-class men, many of whom articulated their emotions and struggles either verbally or in writing to the courtroom, their friends,

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<sup>26</sup> Sean Brady, *Masculinity and Male Homosexuality in Britain, 1861-1900* (Basingstoke: Palgrave Macmillan, 2005), p. 36; Megan Doolittle, 'Fatherhood, Belief and the Protection of Children in Nineteenth-Century English Families', in *Gender and Fatherhood in the Nineteenth Century*, ed. by Trev Lynn Broughton and Helen Rogers (Basingstoke: Palgrave Macmillan, 2007), pp. 31-42; John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press, 2007), p. 82 and *Manliness and Masculinities in Nineteenth-Century Britain* (Harlow: Pearson Education Limited, 2006), p. 37.

<sup>27</sup> Julie-Marie Strange, *Death, Grief and Poverty in Britain, 1870-1914* (Cambridge: Cambridge University Press, 2005), p. 262.

<sup>28</sup> Victor Bailey, *'This Rash Act': Suicide Across the Life Cycle in the Victorian City* (Stanford: Stanford University Press, 1998), p. 168.

<sup>29</sup> *Ibid.*, pp. 113. 116. 144. 153.

families and the asylum's staff, and who associated their grief, jealousy and poverty to their madness and to their crimes. Methodological questions about what sources can and cannot reveal about 'experience', and whether or not we can ever recover the voices of historical actors, are considered later in the Introduction.

Contemporary assumptions about madness and masculinity are not only observable in medical literature and asylum records. Elaine Showalter, Helen Small, Jane Wood, Valerie Pedlar and Andrew Smith have all examined the relationship that existed between depictions of madness in medical literature with those in fiction and other cultural narratives.<sup>30</sup> Such an approach is important because it broadens our understandings of how contemporaries understood and represented madness and masculinity. Cultural histories of madness have been criticised for their elitist focus, for neglecting, as Jonathan Andrews and Anne Digby write, the voices of 'common folk'.<sup>31</sup> Robert Allan Houston builds upon such studies by examining the gendered nature of the vocabularies of madness in asylum records.<sup>32</sup> In this thesis, elite sources (fiction and medical and scientific literature) are examined alongside trial proceedings, press reports and asylum case files, all of which provide access to the voices of working men and their families.

The treatment of men in asylums has not received the attention we may expect.

Despite calls from scholars for a more complex analysis allowing for the presence of male

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<sup>30</sup> Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006); Jane Wood, *Passion and Pathology in Victorian Fiction* (Oxford: Oxford University Press, 2001); Elaine Showalter, *The Female Malady: Women, Madness and English Culture, 1830-1980* (New York: Virago Press, 1987); Helen Small, *Love's Madness: Medicine, the Novel, and Female Insanity, 1800-1865* (Oxford: Clarendon Press, 1996); Andrew Smith, *Victorian Demons: Medicine, Masculinity and the Gothic at the Fin de Siècle* (Manchester and New York: Manchester University Press, 2004).

<sup>31</sup> Jonathan Andrews and Anne Digby, 'Introduction: Gender and Class in the Historiography of British and Irish Psychiatry', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (New York: Rodopi, 2004), pp. 7-44 (p. 11).

<sup>32</sup> Robert Allan Houston, 'Class, Gender and Madness in Nineteenth-Century Scotland', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 45-68.



patients, the continued tendency to use 'gender' as a synonym for 'woman' has led to the over-representation of women within asylum histories.<sup>33</sup> This does mean, however, that space remains to explore the link between masculinity and madness further, particularly through the incorporation of men from all socio-economic backgrounds. In this thesis, the crimes, trials and incarceration of working and middle-class men are examined. In addition, historians have shown how treatment in asylums was perceived by some contemporaries to inculcate womanly virtues such as silence and decorum into female asylum patients.<sup>34</sup> Less attention has been paid to the moral treatment of men, something examined in Chapter Two of this thesis.

Broader asylum histories have examined the rise of the asylum and the implementation of moral treatment as a form of social control. The question of where Broadmoor stands in this debate has yet to be addressed. Michel Foucault argued that the history of psychiatry should not be seen in terms of progress; rather, nineteenth-century asylums were institutions for the promotion of an internalised ideology of self-restraint.<sup>35</sup> Andrew Scull suggested that men and women whose mere existence was perceived to offend the bourgeois way of life were confined in asylums. He argued that moral treatment sought to 'remodel' the insane into 'the bourgeois ideal of the rational individual.'<sup>36</sup> In their recent examinations of the class make-up of asylum patients, and of the admission and discharge of patients from asylums, historians have convincingly

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<sup>33</sup> Marjorie Levine-Clark, 'Embarrassed Circumstances: Gender, Poverty, & Insanity in the West Riding of England in the Early Victorian Years', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 123-148.

<sup>34</sup> Anne Shepherd, 'The Female Patient Experience in Two Late-Nineteenth Century Surrey Asylums', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 223-248.

<sup>35</sup> Michel Foucault, *History of Madness*, trans. by John Murphy and Jean Khalifa (London and New York: Routledge, 2006), pp. 463-511.

<sup>36</sup> Andrew Scull, *Social Order/Mental Disorder: Anglo-American Psychiatry in Historical Perspective* (London: Routledge, 1989), p. 89.

questioned such assertions;<sup>37</sup> my examination of the treatment and discharge of Broadmoor's patients in Chapter Two lends some support to their findings.

## **b) Trials of Criminal Lunatics**

Successful insanity defences have been made in the courtroom since at least 1505.<sup>38</sup> If a defendant was acquitted on the grounds of insanity at this time, he was free to go home. A legal landmark occurred in 1800 following the attempted assassination of King George III by ex-army officer James Hadfield, who was suffering from religious delusions. Hadfield believed that his death at the hands of the state (his crime being a capital offence) would cause the return of Jesus Christ.<sup>39</sup> As the intended victim was the King, Hadfield was charged with treason and not with attempted murder, as would have been the case had he committed the offence against an ordinary citizen. A charge of treason meant that Hadfield had access to privileges not granted to other criminals, the most important of these were the requirement that the charge against him be proven by the testimony of two witnesses, instead of the one witness required in ordinary prosecutions, and access to a defence counsel.<sup>40</sup> Only total insanity was deemed an acceptable reason for an acquittal. At Hadfield's trial, however, his lawyer, the celebrated advocate Thomas Erskine, successfully managed to have him acquitted on the grounds of insanity based on the existence of his religious delusion. As Joel Eigen writes, 'Delusion suggested a state of *partial* derangement – "total" to be sure when the subject of the delusory belief was

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<sup>37</sup> Joseph Melling and Bill Forsythe, *The Politics of Madness: The State, Insanity and Society in England, 1846-1914* (London and New York: Routledge, 2006).

<sup>38</sup> Nigel Walker, *Crime and Insanity in England: Historical Perspectives* (Edinburgh: Edinburgh University Press, 1968), p. 74.

<sup>39</sup> Joel Peter Eigen, 'Lesion of the Will: Medical Resolve and Criminal Responsibility in Victorian Criminal Trials', *Law & Society Review*, 33:2 (1999), 425-459 (p. 428).

<sup>40</sup> In cases of treason it was believed that defendants needed extra protection against false accusations by their political enemies, hence the need for two witnesses. Richard Moran, 'The Origin of Insanity as a Special Verdict: The Trial for Treason of James Hadfield', *Law & Society Review*, 19:3 (1985), 487-519 (p. 497).

touched upon – but absent when any other subject was invoked.’<sup>41</sup> The verdict caused judicial concern. Legally, Hadfield could only be detained until he regained his sanity and it was feared that since he was not totally insane then he would be discharged during a lucid interval and pose a potential threat to society.<sup>42</sup> One month after Hadfield’s trial, The Criminal Lunatics Act (1800) was passed which empowered judges in cases of insanity acquittals to order the person to be detained until ‘His Majesty’s pleasure be known.’<sup>43</sup>

A second legal landmark occurred in 1843 following the trial of Daniel McNaughton who had shot and killed Edward Drummond, private secretary to the British Prime Minister, Sir Robert Peel. McNaughton was under the delusion that he was being persecuted by the Tories, and he had meant to kill Peel. He was found ‘not guilty on the grounds of insanity’ and ordered to be detained until ‘Her Majesty’s pleasure be known.’ He was sent to Newgate Prison before his transfer to Broadmoor in 1864; he died the following year.<sup>44</sup> The verdict was deemed too lenient by some and the Law Lords developed a set of rules for future cases. These became known as the McNaughton Rules and, amongst other things, they stated:

[To] establish a defence on the grounds of insanity, it must be clearly proven that at the time of committing the act, the party accused was labouring under such defect of reason, from disease of mind, as not to know the nature and quality of the act he was doing; or if he did know it, that he did not know that what he was doing was wrong.<sup>45</sup>

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<sup>41</sup> Eigen, ‘Lesion of the Will’, p. 428.

<sup>42</sup> Moran, ‘The Origin of Insanity as a Special Verdict’, p. 510.

<sup>43</sup> The Criminal Lunatics Act was repealed in 1838 by an Act which made provision for any person found insane to be sent to an asylum by two justices acting on the advice of a physician. Another Act was passed in 1840 to provide for the removal of insane prisoners to asylums for the duration of their insanity.

<sup>44</sup> D/H14/D1/1/1/1, Admissions Register, 1863-1871.

<sup>45</sup> ‘The House of Lords and the Judges’ Rules’, in *Daniel McNaughton: His Trial and the Aftermath*, ed. by Donald J. West and Alexander Walk (Gaskell Books, 1977), pp. 74-81 (p. 75). The Rules were the only test of criminal responsibility in England until 1957 when the Homicide Act was passed. This introduced the concept of ‘diminished responsibility’ which was already in use in Scotland. The law changed again in 1991 when the Criminal Procedure Law covered fitness to plead and the insanity defence.

The Rules attempted to control the forms of insanity that were acceptable when invoking the insanity plea, and excluded the idea of ‘moral insanity’ (‘emotional insanity’) by which someone could be intellectually sane but suffer from derangement of the emotions. The Rules restricted inquiry to the cognitive capacity, thus insanity was not viewed as the inability to control the will. Furthermore, for a plea of insanity to be upheld, it had to be proven that the defendant suffered from delusions.<sup>46</sup>

The relationship between crime and the law in the nineteenth century has been studied for decades. Nigel Walker, Daniel Robinson, Joel Eigen, David Taylor, Richard Moran, Roger Smith, and Clive Unsworth have examined criminal insanity, medicine and social reform, the role of the insanity plea in trials, the role of medicine in the courtroom and medico-legal conflict.<sup>47</sup> Initially, scholars focused on the evolution of the insanity law through the trials of high-profile (often law changing) trials, such as those of James Hadfield (1800), Edward Oxford (1840) and Daniel McNaughton (1843).<sup>48</sup> Eigen shows that although such trials were legally important, it is equally important to recognise that

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<sup>46</sup> Joel Eigen, ‘An Inducement to Morbid Minds: Politics and Madness in the Victorian Courtroom’, in *Modern Histories of Crime and Punishment*, ed. by Markus D. Dubber and Lindsay Farmer (Stanford, CA: Stanford University Press, 2007), pp. 66-87.

<sup>47</sup> Walker, *Crime and Insanity*; Daniel Robinson, *Wild Beasts and Idle Humours: The Insanity Defence from Antiquity to Present* (Cambridge, MA & London: Harvard University Press, 1996); Joel Eigen, *Witnessing Insanity: Madness and Mad-doctors in the English Court* (New Haven: Yale University Press, 1995); ‘Mad-Doctors in the Dock: Forensic Psychiatry’s Early Claims to Expert Knowledge’, *Transactions & Studies of the College of Royal Physicians of Philadelphia*, 13 (1991), 445-462; ‘Bewitched, Bothered, and Deluded: A Maddening Pursuit of the Insanity Defence’, *History of Psychiatry*, 8 (1997), 297-304; ‘Intentionality and Insanity: What the Eighteenth-Century juror Heard’, in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 (London: Routledge, 1985-88), VII (1985), pp. 34-51; ‘“I Answer as a Physician”: Opinion as Fact in Pre-McNaughton Insanity Trials’, in *Legal Medicine in History*, ed. by Michael Clark and Catherine Crawford (Cambridge: Cambridge University Press, 1994), pp. 167-99; David Taylor, *Crime, Policing and Punishment in England, 1750-1914* (London: Macmillan, 1998); Richard Moran, *Knowing Right From Wrong: The Insanity Defence of Daniel McNaughton* (London: Collier Macmillan, 1981); Roger Smith, ‘Brain Science and Insanity in Victorian Murder Trials’, *Medical Historian*, 1 (July 1988), 39-48; Clive Unsworth, ‘Law and Lunacy in Psychiatry’s ‘Golden Age’, *Oxford Journal of Legal Studies*, 13:4 (1993), 457-507.

<sup>48</sup> Walker, *Crime and Insanity*; Richard Moran, ‘The Modern Foundation for the Insanity Defense: The Cases of James Hadfield (1800) and Daniel McNaughton (1843)’, *Annals of the American Academy of Political and Social Science*, 477 (1985), 31-42; Jacques M. Quen, ‘Anglo-American Criminal Insanity: An Historical Perspective’, *Journal of the History of Behavioural Sciences*, 10:3 (1974), 313-323; Stephen White, ‘The Insanity Defense in England and Wales Since 1843’, *Annals of the American Academy of Political and Social Science*, 477 (1985), 43-57.

an examination of medical evidence, legal arguments, lay evidence, judges' decisions and verdicts in the less publicised trials are just as revealing. Eigen concentrates largely on the period preceding the M'Naughton Rules and has examined the role medicine played in the courtroom and the role of insanity not just as a medical concept but also as a social construction; an important approach adopted by scholars of the post-M'Naughton era.<sup>49</sup> Martin Wiener charts the rise of the insanity plea in the courtroom over two other methods of defence: provocation and drunkenness. He analyses ordinary trials and veers away from reconstructing the legalities of the insanity defence. Much like Eigen, he concludes that it is important to view criminal trials as 'complex social performances' in which society's views were played out on a stage.<sup>50</sup>

Jill Newton Ainsley, Roger Smith, Hilary Marland, Wiener and Eigen have all examined the trials of ordinary men and women. Their studies show that not all trials were the same and that the M'Naughton Rules were adhered to somewhat haphazardly, particularly in cases of infanticide.<sup>51</sup> The observation that through the use of the insanity plea women were 'literally getting away with murder' has been made since at least the 1970s and has increasingly been the focus of gender historians, many of whom share the assumption that insanity verdicts stripped female crime of meaning. Infanticide is commonly discussed in such terms.<sup>52</sup> Middle-class female murderers also experienced

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<sup>49</sup> Eigen examines post-M'Naughton trials in the following: 'An Inducement to Morbid Minds'; 'Diagnosing Homicidal Mania: Forensic Psychiatry and the Purposeless Murder', *Medical History*, 54:4 (October 2010), 433-456; *Unconscious Crime: Mental Absence and Criminal Responsibility in Victorian London* (Baltimore and London: The John Hopkins University Press, 2003).

<sup>50</sup> Martin Wiener, 'Judges V. Jurors: Courtroom Tensions in Murder Trials and the Law of Criminal Responsibility in Nineteenth-Century England', *Law & History Review*, 17:3 (1999), 467-506 (p. 481).

<sup>51</sup> Jill Newton Ainsley, "'Some Mysterious Agency': Women, Violent Crime, and the Insanity Acquittal in the Victorian Courtroom", *Canadian Journal of History*, 35:1 (2000), 37-55; Roger Smith, 'Defining Murder and Madness: An Introduction to Medicolegal Belief in the Case of Mary Ann Brough', *Knowledge and Society*, 4 (1982), 173-225; Hilary Marland, *Dangerous Motherhood: Insanity and Childbirth in Victorian Britain* (Basingstoke: Palgrave Macmillan, 2004); Cath Quinn, 'Images and Impulses: Representations of Puerperal Insanity and Infanticide in late Victorian England', in *Infanticide*, ed. by Jackson, pp. 193-296 (p. 199).

<sup>52</sup> Carolyn Conley, *Certain Other Countries: Homicide, Gender and National Identity in Late-Nineteenth Century England, Ireland, Scotland and Wales* (Columbus: Ohio State University Press, 2007); Mary

leniency in court. Two reasons why this occurred have been suggested: first, growing unease about hanging, especially as a punishment for young women, and second, the middle-class murderess was considered an aberration of femininity and thus rather than hang, she was sent to an asylum to be reformed.<sup>53</sup> Non-capital offenders also experienced leniency, and Tammy Whitlock has examined the development of kleptomania to explain shoplifting amongst middle-class women.<sup>54</sup>

These studies highlight the existence of a relationship between notions of femininity and criminal insanity in the Victorian period but they do not fully justify the assertion that this suggests a relationship existed between gender and criminal insanity as has been argued. For this, the male experience needs to be considered in greater detail.<sup>55</sup> The trials of some male criminals have been considered. Wiener's *Men of Blood* is one of the only comprehensive studies of violent male crime and masculinity in Victorian England. He concentrates on sexual crime and men who killed men and women.<sup>56</sup> In his discussion of the latter, the majority of his case studies committed suicide, were executed or sent to prison. In a short section on insanity he concludes that in comparison to women who murdered their husbands, wife-murderers were treated severely and a plea of insanity rarely accepted. In the small number of cases Wiener examines in which men were found insane, they were not all committed to Broadmoor. This thesis builds on Wiener's work

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Hartman, *Victorian Murderesses: A True History of Thirteen Respectable French and English Women Accused of Serious Crimes* (London: Robson Books, 1995).

<sup>53</sup> Judith Knelman, *Twisting the Wind: The Murderess and the English Press* (Toronto, Buffalo & London: Toronto University Press, 1999), p. 141.

<sup>54</sup> Tammy Whitlock, *Crime, Gender and Consumer Culture* (Aldershot: Ashgate, 2005) and 'Gender, Medicine, and Consumer Culture in Victorian England: Creating the Kleptomaniac', *Albion: A Quarterly Journal Concerned with British Studies*, (1999), 413-437. Also, Andrew Mangham, *Violent Women and Sensation Fiction: Crime, Medicine and Victorian Popular Culture* (Basingstoke: Palgrave Macmillan, 2007).

<sup>55</sup> For male criminal lunatics in early-modern and early nineteenth-century Britain, Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003); Deidre Palk, *Gender, Crime and Judicial Discretion, 1780-1830* (Woodbridge: Boydell Press, 2006).

<sup>56</sup> Wiener, *Men of Blood*. Also, John E. Archer, 'Men Behaving Badly?: Masculinity and the Uses of Violence, 1850-1900', in *Everyday Violence in Britain, 1850-1950: Gender and Class*, ed. by Shani D'Cruze (Harlow, England and New York: Longman, 2000), pp. 41-54.

in many ways. Rather than comprising of a random selection taken from all over Britain, my case studies are taken only from Broadmoor. This has enabled a close examination of how one institution characterised and treated its male patients. Like Wiener's, many studies on male crime are generally concerned with murder trials, but my thesis considers both homicidal and non-homicidal crimes. All of the patients examined in this thesis were found insane before, during or after their trial, and this research builds on Wiener's discussion on insanity as a defence for men, and the implications this may have had on their status as men. In addition to providing official accounts and attitudes, as Wiener does, this thesis uses patients' letters to gauge some sense of what being in Broadmoor meant for patients and their families. Finally, not only is the treatment and depiction of individuals as criminals discussed, but also the treatment and depiction of them as patients in Broadmoor, thus adding a new dimension to the current literature.

It is clear that the punishment (or acquittal) and portrayal of a defendant was dependent upon a number of factors, including class, sex, and the medical evidence presented. Through the use of new evidence and examples taken from Broadmoor, this thesis adds to existing studies. In Chapters Three, Four, Five and Six, examples are given which lend support to the argument that the M'Naughton Rules were followed haphazardly and each trial was judged differently.<sup>57</sup> In theory, the Rules had set a high standard for insanity, the inability to understand the nature of the act committed, yet in some cases in which jealous wife murderers were committed insane to Broadmoor they were seemingly aware of what they had done. Moreover, this thesis shows that when previously loving fathers killed their children and were clearly not delusional, other factors were used to prove their insanity. In addition, some men were convicted and sent to prison even though they qualified under the Rules and should have been sent to

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<sup>57</sup> Eigen, 'Diagnosing Homicidal Mania'; *Unconscious Crime*.

Broadmoor (they eventually ended up in the asylum as insane convicts). The decision to find insanity in some cases was, as Roger Smith writes, ‘fraught with controversy’ and the verdict of insanity in Henry Dodwell’s case and his subsequent committal to Broadmoor was no exception.<sup>58</sup> The medical, legal and social debates that followed Dodwell’s committal to Broadmoor are examined in Chapter Six.

I build on current histories and consider whether there were differences in the way men committed crime in England and Wales during the latter half of the nineteenth century, and whether this affected the way they were treated at their trial, the way they were depicted in the press, and how they were treated in Broadmoor; something particularly evident in Chapter Four where a comparison between the depiction and treatment of paternal and non-paternal child murderers is made. In addition, questions about the lifestyle and social status of the defendant are posed. How these factors may have affected their actions and the outcome of their trial is considered.

The creation and reinforcement of a masculine ideal through the courtroom has been examined by several historians. Angus McLaren examines the creation of an idealised heterosexual male in the nineteenth and twentieth century courtroom, and research by A. James Hammerton, Ginger Frost and Wiener indicates that Victorian judges attempted to improve working-class behaviour through the courts by condemning violent behaviour as unmanly.<sup>59</sup> This thesis adds to such studies. An examination of press

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<sup>58</sup> Roger Smith, ‘The Boundary Between Insanity and Criminal Responsibility in Nineteenth-Century England’, in *Madhouses, Mad-Doctors, and Madmen: The Social History of Psychiatry in the Victorian Era*, ed. by Andrew Scull (London: The Athlone Press, 1981), pp. 363-377 (p. 363).

<sup>59</sup> McLaren, *Trials of Masculinity*; A. James Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London and New York: Routledge, 1992); Ginger Frost, *Living in Sin: Cohabiting as Husband and Wife in Nineteenth-Century England* (Manchester: Manchester University Press, 2008); Wiener, *Men of Blood*, pp. 29-32 and ‘The Victorian Criminalization of Men’, in *Men and Violence: Masculinity, Honor Codes and Violent Rituals in Europe and America, 1600-2000*, ed. by Pieter Spierenburg (Columbus: Ohio University Press, 1997), pp. 197-212. These studies complement the work undertaken by scholars who demonstrate that criminal women broke the rules of femininity and thus paid a price. Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: Clarendon Press, 1991); Anette Ballinger, ‘Masculinity in the Dock: Legal Responses to Male Violence and Female Retaliation in



reports and Old Bailey trial proceedings shows how ideas about gender operated in a social, medical and legal context. It is shown in Chapter Four that the nature of the crimes committed by insane fathers, childless men and convicted fathers, their motivations for the crime, previous character, and demeanour in the courtroom were all subject to scrutiny. In condemning the behaviour of childless men and convicted fathers, the press, judges, and juries helped to define appropriate male behaviour, including what made a good father. In Chapter Five, medical, legal and lay depictions of jealous wife and sweetheart murderers are examined, and in Chapter Six the importance of industry, rationality and self control as vital characteristics of a member of a civilised community are brought to the fore.

Court reporting in newspapers provided a space in which issues of gender and class were negotiated. Judith Knelman shows how changing representations of murderesses in the press contributed to the construction of femininity.<sup>60</sup> Judith Knelman shows that the press highlighted the unBritishness of female violence and the perceived role of women as markers of civilisation.<sup>61</sup> Carolyn Conley and Wiener highlight similar depictions of violent male criminals: they were uncivilised and unmanly. In this thesis, press reports are used to ascertain how defendants' emotional and physical states were portrayed to the public; this is particularly important in Chapters Four, Five and Six.

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England and Wales 1900-1965', *Social and Legal Studies*, 16:4 (2007), 459-81. For the role of the press in creating and enforcing stereotypes, Judith Rowbotham and Kim Stevenson, 'Causing a Sensation: Media and Legal Representations of Bad Behaviour', in *Behaving Badly: Social Panic and Moral Outrage – Victorian and Modern Parallels*, ed. by Judith Rowbotham and Kim Stevenson (Aldershot: Ashgate Publishing, 2003), pp. 31-46.

<sup>60</sup> Knelman, *Twisting the Wind*.

<sup>61</sup> Judith Rowbotham, 'Criminal Savages? Or "Civilising" the Legal Process', in *Criminal Conversations: Victorian Crimes, Social Panic, and Moral Outrage*, ed. by Judith Rowbotham and Kim Stevenson (Columbus OH: Ohio State University Press, 2005), pp. 91-105 (p. 103).

### c) The Treatment and Experiences of Criminal Lunatics

One of the key questions of this thesis is one rarely posed by historians: what happened to a defendant once the trial was over? Joseph Melling, Bill Forsythe and Richard Adair examine the experience of criminal lunatics at the Devon asylum, Janet Saunders examines the treatment of insane prisoners in Warwick, and a number of scholars have examined the provisions made for criminal lunatics at Bethlem.<sup>62</sup>

The legal grounding of Broadmoor is one of the few aspects of the institution's existence previously discussed by asylum historians. Ralph Partridge's *Broadmoor* is a good starting point and despite some minor factual inaccuracies is a sound account of how and why Broadmoor came to exist.<sup>63</sup> Partridge detailed the legislation that led to the opening of Broadmoor, political attitudes towards the criminally insane, and the construction of the asylum. He also summarised every Superintendent between 1863 and 1953. Using the Addresses, publications and obituaries of the four Superintendents at Broadmoor between 1863 and 1900, I expand upon this in Chapters One and Two. D. A. Black built on Partridge's work and examined the evolution of Broadmoor from 1959 until 1983.<sup>64</sup> David Cohen developed *Broadmoor* out of a television show that aimed to highlight twentieth-century society's seemingly disdainful view of its criminally insane population by briefly comparing Victorian Broadmoor to modern-day attitudes towards

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<sup>62</sup> Joseph Melling, Bill Forsythe and Richard Adair, 'Families, Communities and the Legal Regulation of Lunacy in Victorian England: Assessments of Crime, Violence and Welfare in Admissions to the Devon Asylum, 1845-1914', in *Outside the Walls of the Asylum: This History of Care in the Community 1750-2000*, ed. by Peter Bartlett and David Wright (London and New Brunswick, NJ: The Athlone Press, 1999), pp. 153-180; Janet Saunders, 'Magistrates and Madmen: Segregating the Criminally Insane in Late-Nineteenth Century Warwickshire', in *Policing and Punishment in Nineteenth Century Britain*, ed. by Victor Bailey (London: Croom Helm, 1981), pp. 217-241; *The History of Bethlem*, ed. by Jonathan Andrews *et al* (London: Routledge, 1997), pp. 452. 502-3; Paul Chambers, *Bedlam: London's Hospital for the Mad* (Shepperton: Ian Allen Publishing, 2009), pp. 152-166; Patricia N. Allderidge, 'Criminal Insanity: From Bethlem to Broadmoor', *Proceedings of the Royal Society of Medicine*, 67 (1974), 897-904.

<sup>63</sup> Partridge, *Broadmoor*.

<sup>64</sup> D. A. Black, *Broadmoor Interacts: Criminal Insanity Revisited* (London: Barry Rose Law Publishers Ltd., 2003).

the criminally insane.<sup>65</sup> And L. Blom-Cooper, QC, used the history of Broadmoor to push for reform in the law and of provisions for the criminally insane.<sup>66</sup> More recently Deborah Weiner has examined Broadmoor's construction, and a former Broadmoor psychiatrist, Harvey Gordon, has undertaken a systematic examination of the asylum's history from 1863 until 2012.<sup>67</sup> Perhaps because of the broad time period Gordon attempts to cover little attention is paid to Victorian Broadmoor. In the one chapter dedicated to the subject, Gordon examines Broadmoor's Superintendents and the history of the asylum. He also examines the uneven application of the McNaughton Rules in some select cases, none of which are discussed in this thesis.<sup>68</sup> He does not examine the social, medical or legal context of the cases and, unsurprisingly given the scope of his work, there is little consideration of the evidence presented at the trials. There is also no room given to defendants' voices and no comparisons are made between the demeanour of the defendant during his trial to that reported in Broadmoor, as is done in this thesis. Gordon's inclusion of contemporary medical opinion (primarily that of Henry Maudsley) does mean that he builds upon the work undertaken by Partridge *et al.* Yet, like a number of psychiatrists in their endeavours, Gordon is anachronistic in his analysis. He attempts to diagnose nineteenth-century criminals, such as George Victor Townley, and refers to the opinions and actions of Victorian alienists as 'muddled' and misguided.<sup>69</sup> Despite the wealth of archival material now available to researchers, Gordon does not examine how patients were treated or diagnosed in Broadmoor, and pays no attention to the experiences of the staff or the patients in the asylum.

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<sup>65</sup> David Cohen, *Broadmoor* (London: Psychology News Press, 1981).

<sup>66</sup> Louis Blom-Cooper, 'The Criminal Lunatic Asylum System Before and After Broadmoor', in *The Health of Prisoners: Historical Essays*, ed. by Richard Creese and William F. Bynum (Amsterdam and Atlanta GA: Rodopi, 1995), pp. 151-162.

<sup>67</sup> Deborah Weiner, "'This Coy and Secluded Dwelling': Broadmoor Asylum for the Criminally Insane', in *Madness, Architecture and the Built Environment*, ed. by Leslie Topp, James E. Moran and Jonathan Andrews (New York and London: Routledge, 2007), pp. 131-148; Harvey Gordon, *Broadmoor* (London: Psychology News Press, 2012).

<sup>68</sup> This was not a conscious decision but just happened to be the case.

<sup>69</sup> Gordon, *Broadmoor*, pp. 12-14. 20.

Over the past twenty years there has been an abundance of research into the social history of madness, which includes an examination of asylum patients.<sup>70</sup> In his *A Social History of Madness: Stories of the Insane*, Roy Porter presented a few select case studies of insane patients using their autobiographies.<sup>71</sup> He provided a fascinating insight into the world of the mad and highlighted some common preoccupations of the mad patient, such as family tension and religious doubts and delusions. Andrew Scull, Joseph Melling and Bill Forsythe have noted the difficulty in ascertaining patients' attitudes towards asylum care owing to the limited availability of personal accounts. In lieu of this evidence, Melling and Forsythe reconstructed patients' experiences by comparing patterns of admission, diagnoses, treatment, and discharges at the Devon County Asylum with Wonford House, a private asylum.<sup>72</sup> Other historians have accessed patients' accounts of asylum life: Anne Digby in her study of the Retreat and Leonard D. Smith in his examination of early-nineteenth century English asylums.<sup>73</sup> Some historians have consulted the autobiographies and literature of former asylum patients, including the Prime Minister's son, John Perceval, lunacy reformer, Louisa Lowe, and Herman Merivale, and thus we know how certain (eminent) individuals experienced life in private asylums.<sup>74</sup>

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<sup>70</sup> Anne Digby, *Madness, Morality and Medicine: A Study of the York Retreat 1796-1914* (Cambridge and New York: Cambridge University Press, 1985); Bill Forsythe, Joseph Melling and Richard Adair, 'The New Poor law and the County Pauper Lunatic Asylum: the Devon Experience 1834-1884', *Social History of Medicine*, 9:3 (1996), 335-355; *Insanity, Institutions and Society, 1880-1914: A Social History of Madness in Comparative Perspective*, ed. by Joseph Melling and Bill Forsythe (London: Routledge, 1999) and *The Politics of Madness: the State, Insanity and Society in England 1845-1914* (London: Routledge, 2006); William Parry Jones, *The Trade in Lunacy: A Study of Private Madhouses in England in the Eighteenth and Nineteenth Centuries* (London: Routledge and Kegan Paul, 1972); David Wright, *Mental Disability in Victorian England: the Earlswood Asylum, 1847-1901* (Oxford: Clarendon, 2001).

<sup>71</sup> Roy Porter, *A Social History of Madness: Stories of the Insane* (London: Phoenix, 1999)

<sup>72</sup> Melling and Forsythe, *Politics*, p. 177.

<sup>73</sup> Digby, *Madness*; Leonard D. Smith, *Cure, Comfort and Safe Custody: Public Lunatic Asylums in Early Nineteenth-Century England* (London and New York: Leicester University Press, 1999).

<sup>74</sup> Porter, *Social History*; Helen Nicolson, 'Introduction', in *Women, Madness and Spiritualism*, ed. by Roy Porter, Helen Nicolson, and Bridget Bennett, 2 vols (London and New York: Routledge, 2003), VI, pp. 139-156; Herman Merivale, *My Experiences in a Lunatic Asylum by a Sane Patient* (London: Chatto and Windus, 1879).

Apart from a few autobiographies written by former patients, such as F. P. Thompson's *Bound For Broadmoor* and *Back From Broadmoor*, Warmark's *Guilty But Insane: A Broadmoor Autobiography*, John Edward Allen's *Inside Broadmoor*, and studies by Ronald Rae Mowat, Susanne Dell and Graham Robertson which explore patients' experiences after the Second World War, little has previously been known about patients' experiences in Broadmoor.<sup>75</sup> Studies on the nineteenth century focus on well-known patients. Simon Winchester has examined the case of William Minor who made a significant contribution to the *Oxford English Dictionary* whilst in confinement, and Nicholas Tromans has examined the life of patient and artist Richard Dadd.<sup>76</sup> In terms of the lesser-known patient, Jonathan Andrews provides a glimpse of what it was like to be an infanticidal woman in the asylum.<sup>77</sup> And Berkshire Record Office archivist, Mark Stevens, published an eBook detailing the cases of some of Broadmoor's well-known nineteenth and twentieth century male and female patients, none of whom are discussed in this thesis.<sup>78</sup> There are three reasons why there is no overlap: First, Stevens focuses a lot on Broadmoor's female patients, in particular those who gave birth in the asylum and those who committed infanticide; second, the male patients he does examine are well-known, such as William Minor and Richard Dadd, and have already been the subject of further research; third, owing to the time period covered in this thesis, none of the twentieth-century cases Stevens discusses are examined. In addition, Stevens has not used

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<sup>75</sup> F. P. Thompson, *Bound For Broadmoor* (London: Hodder & Stoughton, 1972) and *Back From Broadmoor* (London: Mowbrays, 1974); John Edward Allen, *Inside Broadmoor* (London: W. H. Allen, 1952); Ronald Rae Mowat, *Morbid Jealousy and Murder: A Psychiatric Study of Morbidly Jealous Murderers at Broadmoor* (London: Tavistock Publications, 1966); Warmark, *Guilty but Insane: A Broadmoor Autobiography* (London: Chapman and Hall, 1939); Susan Dell and Graham Robertson, *Sentenced to Hospital: Offenders in Broadmoor* (Oxford: Oxford University Press, 1988).

<sup>76</sup> Simon Winchester, *The Professor and the Madman: A Tale of Murder, Insanity, and the Making of the Oxford English Dictionary* (New York: Harper Perennial, 2005) and *The Surgeon of Crowthorne: A Tale of Murder, Madness and the Oxford English Dictionary* (London: Penguin Books, 1999); Nicholas Tromans, *Richard Dadd: The Artist and the Asylum* (London: Tate Publishing, 2011).

<sup>77</sup> Andrews, 'The Boundaries of her Majesty's Pleasure', in *Infanticide*, ed. by Jackson.

<sup>78</sup> These include Christiana Edmunds, William Minor, Edward Oxford, Richard Dadd and Ronald True. Mark Stevens, *Broadmoor Revealed: Victorian Crime and the Lunatic Asylum* (2011). This eBook is due to be published in hardback in May 2013.

patient letters to depict how they experienced life in Broadmoor, or to examine the relationships they forged and maintained inside and outside the asylum, something done in this thesis.

Andrew Scull writes that there is limited evidence from which to ascertain the views of the poor on asylums.<sup>79</sup> This may be true generally but the Broadmoor records are unusual because they contain hundreds of patients' letters to and from a diverse group of people: family members, friends, the asylum Superintendent and attendants. Some of the letters are copies of letters sent by patients and deemed important enough to keep. Other letters appear to have been filed and never sent, presumably because it was believed that they contained false or defamatory information; a judgement placed in the hands of the Superintendent whose job it was to censor letters written to and from patients.<sup>80</sup> In Chapters One, Two and Six, patients' letters are used to illustrate what they thought of their confinement and of Broadmoor, and to gain a sense of the relationships they maintained outside the asylum and those developed inside its walls.

#### **D) The History of Masculinity**

Historians have shown that men who were considered to fall short of manly ideals (those who were criminal, unindustrious, and who refused to provide for their families) were separated from the rest of society in fiction, medical literature and press reports.<sup>81</sup> An examination of Broadmoor cases indicates the extent to which ideas regarding normal male behaviour were articulated and encouraged by a diverse group of men within the asylum; an institution within which demarcations between normal and deviant male

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<sup>79</sup> Andrew Scull, *The Most Solitary of Afflictions: Madness and Society in Britain, 1700-1900* (New Haven and London: Yale University Press, 1993), p. 307.

<sup>80</sup> *Rules for the Guidance of the Officers of Broadmoor Criminal Lunatic Asylum* (London: George E. Eyre and William Spottiswoode, 1863), p. 7.

<sup>81</sup> Brady, *Masculinity and Male Homosexuality*, p. 47; Claudia Nelson, *Precocious Children and Childish Adults: Age Inversion in Victorian Literature* (Baltimore, Maryland: The Johns Hopkins University Press, 2012), p. 55.

conduct were made by medical officers in their patient reports, and also by the patients themselves. An examination of patients' letters suggests that they had their own ideas regarding appropriate male behaviour and that their opinions were similar to those promoted by the middle classes, with an emphasis on industry, financially providing for children, and heterosexuality. This thesis thus suggests that ideas about appropriate male behaviour were not only discussed, encouraged and modelled by alienists, lawyers, judges, authors of fiction and social commentators, but they were negotiated and internalised by ordinary middle and working-class men. Such a finding will be of interest to historians of masculinity because it answers the calls of Michael Roper, John Tosh, Karen Harvey and Alexandra Shepard to examine masculinity not only as a cultural and social construction, but as a subjective identity.<sup>82</sup>

Some gender historians have 'given their work a psychological inflection, emphasizing selfhood and the subjective experience of being male.'<sup>83</sup> It is difficult to examine subjectivities and personal experiences prior to the First World War because of a lack of surviving evidence, such as memoirs, letters and diaries.<sup>84</sup> In addition, twentieth-century historians have the advantage of being able to turn to oral history.<sup>85</sup> Some work has been done on the nineteenth century. Ying S. Lee studied masculine subjectivities

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<sup>82</sup> Michael Roper and John Tosh, 'Introduction: Historians and the Politics of Masculinity', in *Manful Assertions: Masculinities in Britain Since 1800*, ed. by Michael Roper and John Tosh (London and New York: Routledge, 1991), pp. 1-24 (p. 17); Michael Roper, 'Slipping Out of View: Subjectivity and Emotion in Gender History', *History Workshop Journal*, 59 (2005), 57-72 (p. 57); John Tosh, 'What Should Historians Do With Masculinity?: Reflections on Nineteenth-Century Britain', in *Manliness and Masculinities in Nineteenth Century Britain* (Pearson Education Ltd., 2005), pp. 29-60; Karen Harvey and Alexandra Shepard, 'What Have Historians Done With Masculinity? Reflections on Five Centuries of British History, Circa 1500-1950', *Journal of British Studies*, 44:2 (April 2005), 274-280 (p. 275).

<sup>83</sup> Harvey and Shepard, 'What Have Historians Done With Masculinity?', p. 275.

<sup>84</sup> For male subjective identities in the twentieth century, Martin Francis, *The Flyer: British Culture and the Royal Air Force, 1939-1945* (Oxford: Oxford University Press, 2008); Michael Roper, 'Maternal Relations: Moral Manliness and Emotional Survival in Letters Home During the First World War', in *Masculinities in Politics and War: Gendering Modern History*, ed. by Stefan Dudink, Karen Hagemann and John Tosh (Manchester: Manchester University Press, 2004), pp. 295-316.

<sup>85</sup> Penny Summerfield and Corinna Peniston-Bird, *Contesting Home Defence: Men, Women and the Home Guard in the Second World War* (Manchester & New York: Manchester University Press, 2007).

through an examination of working-class autobiographies and fiction,<sup>86</sup> and new research on masculinity and domesticity has begun to consider men's domestic identities and experiences, particularly in regard to fatherhood which, as Joanne Bailey writes in her study of Georgian fathers, 'is a fruitful site for masculine subjectivity.'<sup>87</sup> Through an examination of autobiographies, letters, diaries, press reports and popular culture, Bailey shows that fathers associated care and provision with their paternal role.<sup>88</sup> Some literary scholars have examined Victorian fathers. Valerie Sanders examined the records of eminent middle-class men including Matthew Arnold, John Ruskin, Charles Dickens and Charles Kingsley, to reconstruct what it meant to be a father from the point of view of men themselves, and in doing so offered an alternative perspective of fathers to that previously presented; i.e. through the eyes of their (often traumatised) children.<sup>89</sup> Sanders found that in their correspondence these men 'express[ed] their feelings about fatherhood in a way that was unguarded or outspoken: regretting superfluous births, worrying about the slow progress of [...] son or mourning the death of a favourite child.'<sup>90</sup> Paul White examined how, following the death of one of his children, Charles Darwin 'used his professional research as a specifically affective language to address matters of grief and loss with other fathers.'<sup>91</sup> Given the scarcity of sources, examining ordinary men's feelings, particularly working-class men, about their children and their paternal role is a

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<sup>86</sup> Ying S. Lee, *Masculinity and the English Working-Class: Studies in Victorian Autobiography and Fiction* (New York and London: Routledge, 2007).

<sup>87</sup> Joanne Bailey, 'Masculinity and Fatherhood in England c.1760-1830', in *What is Masculinity? Historical Dynamics From Antiquity to the Contemporary World*, ed. by John H. Arnold and Sean Brady (New York: Palgrave Macmillan, 2011), pp. 167-186 (p. 169).

<sup>88</sup> *Ibid.*, p. 171.

<sup>89</sup> Valerie Sanders, *The Tragi-Comedy of Victorian Fatherhood* (Cambridge: Cambridge University Press, 2009) and "'What Do You Want to Know About Next?' Charles Kingsley's Model of Educational Fatherhood' in *Gender and Fatherhood*, ed. by Broughton and Rogers, pp. 55-67. For the joy Kingsley associated with the birth of his son, Susan Chitty, *The Beast and the Monk: a Life of Charles Kingsley* (London: Hodder and Stoughton, 1974), p. 98.

<sup>90</sup> Sanders, *Tragi-Comedy*, p. 3.

<sup>91</sup> Julie-Marie Strange, 'Introduction', in *British Family Life, 1780-1914*, ed. by Claudia Nelson and Julie-Marie Strange, 5 vols (London: Pickering and Chatto Ltd., 2012), VII, pp. i-xii (p. xii); Paul White, 'Darwin Wept: Science and the Sentimental Subject', *Journal of Victorian Culture*, 16:2 (2011), 195-213.



difficult task. Research undertaken by Megan Doolittle and Julie-Marie Strange has begun to reveal working-class subjective identities. Through an examination of working-class autobiographies and family disputes in the mid-nineteenth century courtroom, Doolittle showed that a working-class man's identity was closely related to his paternal role.<sup>92</sup> Doolittle continued to examine autobiographies in an effort to understand welfare from the point of view of working-class fathers, and highlights the shame and anger felt by men who failed to keep their families from the workhouse.<sup>93</sup> In her studies of grief and attachment, Strange has shown that some working-class men formed strong emotional bonds with their children.<sup>94</sup>

Because of the paucity of evidence regarding working-class identities it is important to locate sources, however unusual, that might enable further exploration. Doolittle and Strange both show that an examination of material culture (grandfather clocks and men's chairs) grants access to examples of affectionate working-class fatherhood.<sup>95</sup> An examination of Broadmoor cases also grants access to valuable sources including courtroom testimony and, more unusually, letters to and from patients in the asylum. An examination of these sources, the letters in particular, not only provides access to the voices of the mad, as previously discussed, but also to the voices of men, many of whom would not have ordinarily had the opportunity or inclination to record

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<sup>92</sup> Megan Doolittle, 'Missing Fathers: Assembling a History of Fatherhood in Mid Nineteenth-Century England' (unpublished doctoral thesis, University of Essex, 1996).

<sup>93</sup> Megan Doolittle, 'Fatherhood and Family Shame: Masculinity, Welfare and the Workhouse in Late Nineteenth-Century England', in *The Politics of Domestic Authority in Britain Since 1800*, ed. by Lucy Delap, Ben Griffin and Abigail Wills (Basingstoke: Palgrave Macmillan, 2009), pp. 84-108.

<sup>94</sup> Strange, *Death, Grief and Poverty*, p. 233; 'Fatherhood, Providing and Attachment in Late Victorian and Edwardian Working Class Families', *The Historical Journal*, 55:4 (2012), 1007-1027.

<sup>95</sup> Megan Doolittle, 'Time, Space and Memories: The Father's Chair and Grandfather Clocks in Victorian Working-Class Domestic Lives', *Home Cultures*, 8:3 (2011), 245-264; Julie-Marie Strange, 'Fatherhood, Furniture, and the Interpersonal Dynamics of the Working-Class Homes', *Urban History*, 40:2 (2013), 271-286.

their feelings on the home or fatherhood, but who did so in their letters from the asylum.<sup>96</sup>

It is thus possible, using the Broadmoor records, to complement Sanders's study and reconstruct fatherhood from the point of ordinary middle – and, more crucially, working-class men, something done in Chapters Four and Six of this thesis and discussed in greater detail below. The examination of men's subjective identities and experiences as fathers is in its early stages, and thus the research undertaken for this thesis will help historians in their efforts to construct a chronology of masculine subjectivities, as called for by Tosh *et al.*<sup>97</sup>

## **E) The History of the Family**

This research is also important for the history of the family more generally; a topic frequently examined through fiction, social commentary, legislature, press reports and autobiographies.<sup>98</sup> Histories of the family are flourishing, but there are still more studies on women than men, and on middle-class families.<sup>99</sup> What is more, historians tend to focus on either the middle classes or the poor; for example, Tosh and Sanders on bourgeois fatherhood, and Strange on the emotions of poor families.<sup>100</sup> This thesis attempts to redress some of the imbalance by focusing primarily on men and on both the

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<sup>96</sup> Julie-Marie Strange also found that asylum cases 'provide a rare snapshot of familial relationships'. *Death, Grief and Poverty*, p. 222.

<sup>97</sup> John Tosh, 'The History of Masculinity: An Outdated Concept?', in *What is Masculinity? Historical Dynamics From Antiquity to the Contemporary World*, ed. by John H. Arnold and Sean Brady (New York: Palgrave Macmillan, 2011), 17-34.

<sup>98</sup> Brady, *Masculinity and Male Homosexuality*; Martin Danahay, *Gender at Work in Victorian Culture: Literature, Art and Masculinity* (Aldershot: Ashgate Publishing, 2005); Emelyne Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (Basingstoke: Palgrave Macmillan, 2011); Ying S. Lee, *Masculinity and the English Working-Class: Studies in Victorian Autobiography and Fiction* (New York and London: Routledge, 2007); Peter Stearns, *Be A Man!: Males in Modern Society*, 2<sup>nd</sup> edn (New York and London: Holmes and Meier, 1990); John Tosh, *Manliness and Masculinities in Nineteenth-Century Britain* (Harlow: Pearson Education Limited, 2006).

<sup>99</sup> Claudia Nelson, Susan B. Egenolf and Julie-Marie Strange, 'General Introduction', in *British Family Life, 1780-1914*, ed. by Nelson, Egenolf and Strange, 5 vols (London: Pickering and Chatto Ltd., 2012), V1, pp. i-xi (p. x).

<sup>100</sup> *Ibid.*, p. ix.

middle and working-classes, although, given Broadmoor's predominantly working-class population, working-class men and their families dominate overall.

Since the mid-1990s, research into middle-class men's involvement in family life has blossomed in part because of a belief that men had been written out of histories of the home.<sup>101</sup> Initially, historians challenged the view that there was a divide between men's public and domestic lives.<sup>102</sup> Since then, exciting research has taken place on men's engagement with the domestic sphere: Karen Harvey, for example, developed our view of middle-class men's gendered engagement with the home in the eighteenth century, and Joanne Bailey shows that Georgian fathers actively engaged with their children in the home.<sup>103</sup> In addition, it is now generally accepted that Victorian fathers had both a breadwinning and domestic role: they not only provided for their families, but they were loving and engaged fathers also.<sup>104</sup> Studies of fatherhood tend to focus on middle-class men, and thus this thesis adds to current histories on the family and masculinity because it provides evidence for affectionate and engaged working-class fathers; a difficult insight to gain given the paucity of evidence.<sup>105</sup> It is shown in Chapter Four that affectionate, temperate, playful and bread-winning working-class fathers were deemed to epitomise an 'ideal' model of fatherhood. Historians should be cautious to rely on prescriptive literature and middle-class representations to recreate working-class family life. As

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<sup>101</sup> John H. Arnold and Sean Brady, 'Introduction', in *What is Masculinity?*, ed. by Arnold and Brady, pp. 1-4 (p. 10).

<sup>102</sup> Karen Harvey, 'Masculinity Acquires a History', in *The SAGE Handbook of Historical Theory*, ed. by Nancy Partner and Sarah Foot (London: SAGE, 2013), pp. 282-93 (p. 290).

<sup>103</sup> Karen Harvey, 'Men Making Home: Masculinity and Domesticity in Eighteenth Century Britain', in *Homes and Homecomings: Gendered Histories of Domesticity and Return*, ed. by K. H. Adler and Carrie Hamilton (Oxford: Wiley Blackwell, 2011), pp. 66-86. Also, Karen Harvey, *The Little Republic: Masculinity and Domestic Authority in Eighteenth-Century Britain* (Oxford: Oxford University Press, 2012), p. 187; Bailey, 'Masculinity and Fatherhood'.

<sup>104</sup> For example, Tosh, *A Man's Place*; Eleanor Gordon and Gwyneth Nair, 'Domestic Fathers and the Victorian Parental Role', *Women's History Review*, 15 (2006), 551-9. Leonore Davidoff, Megan Doolittle, Janet Fink and Katherine Holden, *The Family Story: Blood, Contract and Intimacy, 1830-1960* (London: Longman, 1999), p. 149. See also various essays in *Gender and Fatherhood in the Nineteenth Century*, ed. by Broughton and Rogers.

<sup>105</sup> Strange, 'Fatherhood, Providing and Attachment', p. 1010.

Strange writes, such sources tell us ‘more about middle-class anxieties concerning working-class men than the family experiences of working-class people.’<sup>106</sup> To overcome this, historians need to uncover sources that provide evidence of working-class family life;<sup>107</sup> an examination of Broadmoor cases grants access to such sources. In Chapter Four it is shown that in the late nineteenth century distinctions were made between good and bad fathers (those who were neglectful, abusive, and intemperate) by judges, juries, journalists and, crucially, by members of the working classes. This is important because it shows that the ‘idealised’ picture of fatherhood was not just promoted and lived by the middle classes, as has been suggested.<sup>108</sup> One of the main contributions of this thesis is thus to current scholarship on working-class fathers who, despite burgeoning research into men’s involvement in nineteenth-century family life, remain ““strangers in the midst” in “family” studies’.<sup>109</sup>

An examination of Broadmoor cases adds to the existing literature on male domesticity and men’s engagement with the home: it shows that both middle and working-class men engaged with the domestic sphere; they were enthusiastic and kind fathers who endeavoured to provide for their families. In addition, it has revealed that men of both classes endeavoured to be part of the domestic sphere despite their absence from it; a desire historians have shown also existed in middle-class men in the twentieth century. Through an examination of correspondence and autobiographies, Martin Francis shows that some pilots in the Royal Air Force during the Second World War ‘strove to maintain a presence in the domestic domain’; they openly celebrated their roles as fathers,

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<sup>106</sup> Strange, ‘Introduction’, in *British Family Life*, pp. ix-ixi.

<sup>107</sup> Sian Pooley, ‘Child Care and Neglect: A Comparative Local Study of Late Nineteenth-Century Parental Authority’, in *The Politics of Domestic Authority*, ed. by Delap, Griffin, Wills, pp. 223-242 (p. 223).

<sup>108</sup> Ginger Frost, “‘I Am Master Here’: Illegitimacy, Masculinity and Violence in Victorian England’, in *The Politics of Domestic Authority*, ed. by Delap, Griffin and Wills, pp. 27-42 (p. 27).

<sup>109</sup> Strange, ‘Fatherhood, Providing and Attachment’, p. 1009. Also, John Gillis, *A World of Their Own Making: Myth, Ritual and the Quest For Family Values* (Cambridge: Cambridge University Press, 1996), p. 179.

others were fraught with guilt over their absence from the home, and some were overcome with worry over household finances.<sup>110</sup> As this thesis will show, these were all preoccupations of men committed to Broadmoor. From the eighteenth century and into the twentieth century, then, the domestic male was thus both an idealised image and, for some, a lived experience. Through an examination of never-before-seen records, this thesis complements studies undertaken by Harvey and Francis, and builds upon the recent research of Doolittle and Strange, by showing that the domestic male belonged to both the middle and working classes.

Through an examination of letters to and from the asylum, it is possible to gauge some sense of patients' relationships with other family members, including their wives, siblings, and parents. In Chapters One, Four and Six the anger, fear and uncertainty of women who lost their husbands and thus their livelihoods is uncovered. It is shown that some women had no choice but to commit adultery or bigamy or file for divorce following their husband's committal to Broadmoor because they could not support themselves or their children alone. Such evidence supports the literature on nineteenth-century women that portrays wives as 'dependent creatures' who, when their husbands failed to provide, were effectively forced out of their marriage.<sup>111</sup> On the other hand, the Broadmoor cases reveal supportive and caring wives who waited indefinitely for their husbands' discharge. We also see evidence of patients' children sending them upbeat letters in an attempt to relieve their sadness, of patients' parents trying to provide them comfort and support from outside the asylum, and of patients being sent Christmas cards, perhaps in an effort to make them feel as though they were still part of the family.<sup>112</sup>

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<sup>110</sup> Francis, *Flyer*, pp. 86. 93. 96.

<sup>111</sup> John. R. Gillis, *For Better, For Worse: British Marriages, 1600 to the Present* (New York and Oxford: Oxford University Press, 1985), p. 244; Ginger Frost, *Living in Sin: Cohabiting as Husband and Wife in Nineteenth-Century England* (Manchester: Manchester University Press, 2008), p. 79.

<sup>112</sup> D/H14/D2/2/1/925/7, Christmas card.

Chapter One shows that being made to feel as though they were still part of their family and the emotional support provided by their relatives, was vital to some patients' survival in the asylum, and when this emotional support was lacking and they felt 'deserted', they looked elsewhere for companionship and advice.<sup>113</sup> As Leonore Davidoff, Megan Doolittle, Janet Fink and Katherine Holden write, 'Familial relationships were found *and are still found* in a range of other institutions and places where we no longer expect them.'<sup>114</sup> They provide all-male institutions such as guilds and the mafia as examples. In Chapters One and Two it is shown that familial relationships also developed, and were fostered, in Broadmoor, with the Superintendent acting as a father to the patients, and the attendants and other patients acting as brothers and confidants.

#### **F) The History of the Emotions**

The history of the family 'set up some crucial discussions about emotion, including developments like more explicit emphasis on familial and spousal love, new rules about anger in the family, and so on.'<sup>115</sup> This thesis adds to the recent work of family and gender historians, such as Doolittle and Strange, who add emotion 'into social histories of men's work, breadwinning, and working-class family life'.<sup>116</sup> It is shown that men expressed an array of emotions (love, anxiety and disappointment) when writing to their children or about them to others from Broadmoor. It is also shown that some patients' sense of identity was so rooted in their bread-winning role that they attempted to continue to financially provide for their families following their committal to the asylum; the act of provision, Strange suggests, was one way for fathers to demonstrate affection

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<sup>113</sup> D/H14/D2/2/1/936c/10, letter from Henry Dodwell to his son.

<sup>114</sup> Davidoff *et al*, *The Family Story*, p. 8.

<sup>115</sup> Jan Plamper, 'The History of the Emotions: An Interview with William Reddy, Barbara Rosenwein, and Peter Stearns', *History and Theory*, 19 (2010), 237-65 (p. 262).

<sup>116</sup> Strange, 'Fatherhood', p. 1008; Doolittle, 'Fatherhood and Family Shame'.

towards their children.<sup>117</sup> It is shown in Chapters One and Six that some patients who failed to provide for their families from the asylum expressed shame, frustration and sadness.

Literary scholars and historians have examined individual passions and emotions such as love, anger, jealousy and fear.<sup>118</sup> Previous histories have tended to privilege cultural and intellectual history approaches and thus as Claire Langhamer recently noted, the field ‘has often looked more like history from above than from below’.<sup>119</sup> Recently, there has been a concerted ‘effort to move beyond social prescription and to examine lived experience’ through an examination of memoirs, letters, diaries and oral history.<sup>120</sup> Yet the same issue exists here as within family and gender history: an absence of records means that more attention has been paid to the emotional lives of the elite.<sup>121</sup> Recent work undertaken by Doolittle and Strange on the nineteenth century, and Langhamer, Simon

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<sup>117</sup> Strange, ‘Fatherhood’, p. 1012.

<sup>118</sup> Peter Gay, *The Bourgeois Experience: Victoria to Freud, Vol II: The Tender Passion* (New York and Oxford: Oxford University Press, 1986); Luisa Passerini, *Europe in Love, Love in Europe: Imagination and Politics in Britain between the Wars* (London: I. B. Tauris, 1999); Simon May, *Love: A History* (New Haven & London: Yale University Press, 2011); Carol Z. Stearns and Peter N. Stearns, *Anger: The Struggle for Emotional Control in America’s History* (Chicago: The University of Chicago Press, 1986); Barbara Rosenwein (ed.), *Anger’s Past: The Social Uses of an Emotion in the Middle Ages* (New York: Cornell University Press, 1998); Peter Stearns, *Jealousy: The Evolution of an Emotion in American History* (New York and London: New York University Press); Masha Belenky, *The Anxiety of Dispossession: Jealousy in Nineteenth-Century French Culture* (Lewisburg: Bucknell University Press, 2008); Joanna Bourke, *Fear: A Cultural History* (London: Virago, 2006); *Facing Fear: The History of an Emotion in Global Perspective*, ed. by Micheal Laffan and Max Weiss (Princeton: Princeton University Press, 2012); Paul Newman, *A History of Terror: Fear and Dread Through the Ages* (Sutton Publishing Ltd., 2000); *Fear in Early Modern Society*, ed. by William G. Naphy and Penny Roberts (Manchester: Manchester University Press, 1997).

<sup>119</sup> Claire Langhamer, ‘Everyday Love and Emotions in the Twentieth Century’, [www.emotionsblog.history.qmul.ac.uk/?p=2777](http://www.emotionsblog.history.qmul.ac.uk/?p=2777) [accessed 17 September 2013]. For more representations of emotion, Gesa Stedman, *Stemming the Torrent: Expression and Control in the Victorian Discourses on Emotion, 1830-1872* (Aldershot: Ashgate, 2002); Penelope Gouk and Helen Hills (eds.), *Representing Emotions: New Connections in the Histories of Art, Music and Medicine* (Aldershot: Ashgate Publishing Ltd., 2005).

<sup>120</sup> Susan J. Matt, ‘Current Emotion Research in History: Or, Doing History from the Inside Out’, *Emotion Review*, 3:1 (2011), 117-124 (p. 119); Roper, ‘Slipping Out of View’, p. 63. For example, Simon Szreter and Kate Fisher, *Sex Before the Sexual Revolution: Intimate Life in England 1918-1963* (Cambridge: Cambridge University Press, 2010); Claire Langhamer, *The English in Love: The Intimate Story of an Emotional Revolution* (Oxford: Open University Press, 2013).

<sup>121</sup> Matt, ‘Current Emotion Research in History’, p. 119; Strange, ‘Fatherhood, Providing and Attachment’, p. 1010.

Szreter and Kate Fisher on the twentieth century have helped to redress the imbalance.<sup>122</sup> One of the contributions of this thesis is that it adds to recent and current efforts to retrieve the emotional lives of the non-elite. An examination of the Broadmoor cases provides a sense of how some patients represented themselves as experiencing and dealing with out-of-control passions and emotions, including shame, fear, anger and jealousy. For example, the shame that Doolittle shows working-class men attached to the workhouse was present in the cases of men who killed their children: Richard Oakes, whose case is examined in Chapter Four, wrote to his brother that he ‘would rather die than go the workhouse.’ He attached his crime to his poverty and to his ‘madness’. In Chapter Five, patients’ experiences of jealousy are examined, and Chapter Six’s examination of Henry Dodwell’s case discusses his descriptions of his failing health. The Broadmoor records thus give an insight into individuals’ subjective accounts of their insanity and their emotions before and during their time at Broadmoor. This thesis thus sits alongside others on subjective accounts of mental illness, including Stanley Jackson and Roy Porter on melancholia, and Michael MacDonald on despair.<sup>123</sup>

Despite the excellent studies that exist on individual emotions, there is little work on the cultural and social representations of jealousy in nineteenth-century Britain. Martin Weiner and Carolyn Conley have both briefly examined the acceptance of jealousy as a defence in the British courtroom, Valerie Pedlar and Stephen Kern have examined jealousy in British fiction, and Ronald Rae Mowat studied *Morbid Jealousy and Murder*

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<sup>122</sup> Strange, ‘Fatherhood’; Doolittle, ‘Fatherhood and Family Shame’; Langhamer, *The English in Love*; Szreter and Fisher, *Sex Before the Sexual Revolution*.

<sup>123</sup> Stanley W. Jackson, *Melancholia and Depression: From Hippocratic Times to Modern Times* (New Haven and London: Yale University Press, 1985); Michael MacDonald, ‘The “Fearefull Estate” of Francis Spira: Narrative, Identity and Emotion in Early Modern England’, *Journal of British Studies*, 31 (1992), 32-62; Roy Porter, ‘“The Hunger of Imagination”: Approaching Samuel Johnson’s Melancholy’, in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 vols (London: Routledge, 1985-88), VI (1985), pp. 62-88.



in Broadmoor in post-war Britain.<sup>124</sup> Chapter Five adds to these studies by examining and comparing representations of jealousy in popular literature, the courtroom, medical literature and in Broadmoor. It suggests that the increasing condemnation of the passion in Britain in comparison to other countries such as France and America was linked to ideas regarding Britain's superiority, and to changing attitudes to women's rights. It thus shows that different national social and legal contexts make for different emotional regimes. The gendering of emotional attributes is one of the key concerns of historians.<sup>125</sup> This chapter suggests that whilst male jealousy was written about in the press, by authors of fiction and some alienists and men of science, it was seemingly ignored by Broadmoor's medical officers and superintendents even when, according to the patient, their family or friends, or journalists, the cause of their criminal insanity. A detailed examination of female jealous murder cases is needed before any clear conclusions are drawn here, but this is an interesting and important finding.

### III. Sources and Methodology

This research combines analyses of cultural representations of crime and insanity with asylum records and medical and legal publications.

Some archival research was undertaken at the National Archives in Kew, which holds official documents relating to the construction and expansion of Broadmoor, as well as information on the hiring and firing of Broadmoor's staff and debates surrounding the

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<sup>124</sup> Carolyn Conley, *Certain Other Countries: Homicide, Gender and National Identity in Late-Nineteenth Century England, Ireland, Scotland and Wales* (Columbus: Ohio State University Press, 2007), p. 127; Martin Weiner, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2006), pp. 201-215. 230; Stephen Kern, *The Culture of Love: Victorians to Moderns* (Cambridge, MA and London: Harvard University Press, 1992), pp. 264-280; Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006), pp. 111-133; Ronald Rae Mowat, *Morbid Jealousy and Murder: A Psychiatric Study of Morbidly Jealous Murderers at Broadmoor* (London: Tavistock Publications, 1966).

<sup>125</sup> Fay Bound Alberti, 'Introduction: Medical History and Emotion Theory', in *Medicine, Emotion and Disease, 1700-1950*, ed. by Fay Bound Alberti, (Basingstoke: Palgrave Macmillan, 2006), pp. xii-xxviii (p. xiii).

committal of insane convicts into the asylum. The majority of the research for this thesis was undertaken at the BRO, home of the Broadmoor archive.

The Admissions Registers (1863-1900) were the first port of call. They also informed the end date of this thesis: post 1900 they are not available to researchers. As part of this thesis, a large database compiled from the information recorded in the registers was constructed and a statistical analysis of the 2,246 patients committed to Broadmoor in the period between May 1863 and May 1900 is thus now possible.<sup>126</sup> Chapters One, Two, Three and Four contain tables and graphs which have been generated from the collated data. Certain sections of the registers were used, where possible, to locate relevant case studies. For example, I searched for the type of crimes I wished to explore further, such as child or wife murder. In some instances only ‘murder’ was recorded and so locating the files of patients who committed specific crimes was often gruelling and time consuming, particularly on occasions when a file contained little or no information. I also searched the ‘verdict’ column for cases of insane convicts.

The number of potential case studies was automatically reduced by a number of closed and uninformative case files. These files contained a variety of public and private documents, including medical reports, letters to and from the Home Office, memoranda, notes and letters to and from Broadmoor’s Superintendent and attendants, as well as patients’ friends and family members. Some also contained letters which had been sent to and from the patient. The information contained in the files is used to discuss medical and official views of the patient, as well as patients’ own views. The language employed by

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<sup>126</sup> The Registers begin in May 1863 and end in May 1900. They recorded the date of admission, name, age, marital status, religion, occupation and crime of a patient, as well as the date and location of their trial, the verdict of the jury and the date of their release from Broadmoor and where they were discharged, or the date of their death in the asylum. As a methodological note, a small number of patients were recorded on the registers more than once because they were re-admitted. Establishing the exact number of readmissions would be tricky due to the unknown number of men re-admitted under an alias. But, I have ascertained that between 1868 and 1900, 21 insane convicts and 16 Queen’s pleasure patients were readmitted into Broadmoor.

Broadmoor's medical officers and Superintendents in their medical reports is compared to that employed in other kinds of literature of the period, including theoretical treatises in law and medicine, journalism and popular fiction. This is particularly prominent in Chapters Three, Four and Five where ideas about the criminal, fatherhood and jealousy are examined respectively.

Other records consulted at the BRO were the Annual Reports, written by the Superintendent and the chaplain, as well as Lunacy Commissioners' Reports which were compiled after their annual visits to the asylum, staff rule books, correspondence of the Council of Supervision, which was Broadmoor's governing body, and correspondence between the Home Office and the asylum. These documents highlight how Broadmoor was run and controlled, as well as official opinions regarding the confinement and treatment of criminal lunatics.

Soon after my research began in October 2009, Broadmoor closed a number of records and continued to do so. In addition to closing the case files of discharged patients, the Superintendent's memorandum books and journal, and a number of letter books were closed. This may mean that some of the case files and documents discussed and referenced in this thesis are no longer available to researchers. The research I did manage to undertake however, suggests that the Superintendent kept brief notes and rarely referred to a particular patient unless a significant incident happened; for example, if an attack was made against him, as happened in Henry Dodwell's case. The medical casebooks, which recorded the mental and physical condition of all patients, were also closed. These may have been beneficial in ascertaining further medical attitudes towards patients, but the detailed medical reports and letters contained in the case files provided sufficient and detailed information.

Archival sources alone cannot demonstrate how madness was conceived and constructed in wider society. As such, this thesis contextualises the archival records within a broader social and cultural framework, examining patient files from Broadmoor alongside medical and legal literature, press reports and other publications including, novels, poems, ballads, periodical reports and advice manuals on marriage and courtship. In addition, the Addresses and publications of Broadmoor's Superintendents, some of which have not been previously discussed by scholars, are examined. Where necessary, I analyse the language used to describe the defendants' emotional and physical condition, as well as their beliefs and ideas, and contextualise them with a discussion regarding contemporary attitudes towards masculinity.

To reconstruct and analyse defendants' trials, *Old Bailey Proceedings Online* (OBPO) have been examined. Eigen points out that these trial transcripts 'offer not only the voice of the [...] specialist in mental medicine but also the language employed by the judge, attorney, lay witness, and jurors who occasionally questioned the medical witness directly. In some trials, the most audible voice belongs to the prisoner himself.'<sup>127</sup> These transcripts are not full accounts of everything that was said during a trial, and in some cases legal arguments were omitted from the proceedings. In order to get the most comprehensive account as possible, trial reports in newspapers, particularly *The Times*, have been used.<sup>128</sup> For every case a search of *The Times* has taken place for details of the crime and or trial. In instances in which the newspaper appears not to have covered these events, then local newspapers have been consulted. Not all of the cases discussed in this thesis were tried at the Old Bailey and thus press reports of assizes court proceedings

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<sup>127</sup> Eigen, 'Diagnosing Homicidal Mania', p. 435. Also, Shani D'Cruze and Louise Jackson, *Women, Crime and Justice in England since 1660* (Basingstoke: Palgrave Macmillan, 2009), p. 12.

<sup>128</sup> Scholars have also adopted and recommended this approach. For example, Wiener, 'Judges V. Juries'; Eigen, *Witnessing Insanity*.

have been crucial when reconstructing some crimes and trials. For this, Nineteenth-Century British Library Newspapers online has been an invaluable resource.

This thesis is based on a wide range of sources which offer historians various different kinds of evidence of the experiences of male criminal lunatics before, during and, in some cases, following their time at Broadmoor. These sources include different types of writings about patients, including medical reports and notes; public accounts in which particular patients were referred to (for example, the Annual Reports and Commissioner in Lunacy Reports); trial transcripts; press reports; letters to patients from their friends and families; and letters written by patients. The latter includes direct and articulate first person writings, letters written by literate patients on behalf of the illiterate, and inarticulate and partly illegible letters.

Increasing numbers of historians are attempting to reconstruct the mental lives of men and women, and when doing so sometimes refer to the ‘experiences’ ‘feelings’ and ‘voices’ of historical actors, but such terms are often considered contentious: to what extent can we really gauge past experiences and feelings? The debate which occurred between Michel Foucault and Jacques Derrida raised some interesting questions about what we can and cannot access from textual sources. In the preface to the first edition of his influential *History of Madness*, Foucault described his work as a ‘history not of psychiatry, but of madness itself.’<sup>129</sup> Through an examination of the archive, Foucault attempted to recall ‘the experience of madness’ and used his sources in a way that allowed them to ‘speak of themselves.’<sup>130</sup> Foucault never actually examined the ‘experience’ of madness as lived by its patients, as implied in the book’s preface. Rather,

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<sup>129</sup> Foucault, *History of Madness*, p. xxxii.

<sup>130</sup> Ibid., pp. xxxiv-xxv. 24.

the ‘experience of madness’ was treated as ‘an objective, not a subjective, genitive.’<sup>131</sup> In 1964, Derrida published ‘Cogito and History of Madness’; a critique of Foucault’s method.<sup>132</sup> He asserted that Foucault’s attempt to ‘write of history of madness *itself*’ was the ‘maddest aspect of his project.’<sup>133</sup> Indeed, Derrida did not believe it was possible to speak of voice or of experience; rather, he alleged that there is nothing beyond text, that it is impenetrable: there is no truth, simply representation:<sup>134</sup>

A text is only a text if it hides at first glance, at the first coming to it, the law of its composition and the rule of its place. More: A text always remains imperceptible. The law and the rule are not sheltered in the accessibility of a secret, they simply never betray themselves, in the present, to anything that we could rigorously denominate a perception.<sup>135</sup>

Conversely, Foucault believed that we can look beyond text and indeed, in order to understand it, we must examine the political, cultural and economic context within which it was produced.<sup>136</sup> Approaching the histories of madness and emotions half a century later, these debates remain relevant. As is clear from the approach I have taken to my sources, I incline to agree more with Foucault than with Derrida about the possibility of looking beyond the text itself, whether that text be a letter by a patient, a popular novel, or a medical treatise.

The question of how historians can access the thoughts and feelings of the dead is one that has been asked by historians of the emotions.<sup>137</sup> In an interview with Jan Plamper, Barbara Rosenwein stated: ‘It is not as though we can ever see emotions and

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<sup>131</sup> Gary Gutting, ‘Foucault’s Philosophy of Experience’, *Boundary 2*, 29:2 (2002), 69-85 (p. 77).

<sup>132</sup> Jean Khalfa, ‘Introduction’, in Foucault, *History of Madness*, pp. xiii-xxv (p. xxii).

<sup>133</sup> Jacques Derrida, ‘Cogito and the History of Madness’, in *Writing and Difference*, trans. by Alan Bass (London and New York: Routledge, 1978), pp. 36-76 (pp. 39-40).

<sup>134</sup> Roy Boyne, *Foucault and Derrida: The Other Side of Reason* (London & Boston: Unwin Hyman, 1990), p. 96.

<sup>135</sup> Derrida, ‘La pharmacie de Platon’, quoted in Michael Sprinkler, ‘Textual Politics: Foucault and Derrida’, *Boundary 2*, 8:3 (1980), 75-98 (pp. 80-81).

<sup>136</sup> Sprinkler, ‘Textual Politics’, p. 92.

<sup>137</sup> Peter Burke, ‘Is There a Cultural History of the Emotions?’, in Penelope Gouk and Helen Hills (eds.), *Representing Emotions: New Connections in the Histories of Art, Music and Medicine* (Aldershot: Ashgate Publishing Ltd., 2005), pp. 35-48.

capture them in their essence' and described people's writings on their emotions as 'representations [...] about how some people think they feel.'<sup>138</sup> Likewise, Penelope Gouk and Helen Hills suggest that emotions 'cannot be accessed in unmediated form'; all we have are a series of representations.<sup>139</sup> Historians of psychiatry and of the family have also broached this subject and rightly suggest that when using any text, whether it be a novel, a piece of prescriptive literature, a press report, case notes or personal correspondence to reconstruct beliefs and experiences we need to be aware of 'sins of omission', bias, censorship and the intended audience.<sup>140</sup> Claudia Nelson writes, 'any text presents a tiny selection of the available range of details and attitudes, a section conditioned by its genre's boundaries and the author's sense of their own relationship to their audience.'<sup>141</sup> These methodological issues were always at the forefront of my mind, but despite the flaws and limitations they possess all of the texts consulted in this thesis do provide new insights into ways the Victorians represented and understood crime, insanity, asylums and manliness.

Whether or not we can recover the voices of the mad is another contentious question. Whether the insane have anything to say at all has been a question for psychiatrists, including Richard Hunter and Ida Macalpine, who maintained that since 'patients are victims of their brain rather than their mind' psychiatry needed to look and not listen.<sup>142</sup> Did madness even have a voice in the nineteenth century that we can

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<sup>138</sup> Jan Plamper, 'The History of the Emotions: An Interview with William Reddy, Barbara Rosenwein, and Peter Stearns', *History and Theory*, 49 (May 2010), 237-265 (p. 258).

<sup>139</sup> Fay Bound Alberti, 'Introduction: Medical History and Emotion Theory', in *Medicine, Emotion and Disease, 1700-1950*, ed. by Fay Bound Alberti, (Basingstoke: Palgrave Macmillan, 2006), pp. xii-xxviii (p. xvii).

<sup>140</sup> Jonathan Andrews, 'Case Notes, Case Histories, and the Patients Experience of Insanity at Gartnavel Royal Asylum, Glasgow, in the Nineteenth Century', *Social History of Medicine*, 11 (1998), 255-181 (p. 280); Susan J. Matt, 'Current Emotion Research in History: Or, Doing History from the Inside Out', *Emotion Review*, 3:1 (2011), 117-124 (p. 119).

<sup>141</sup> Nelson, 'General Introduction', in *British Family Life*, p. x.

<sup>142</sup> Roy Porter, 'Foreword', in *Voices of Madness: Four Pamphlets, 1683-1796*, ed. by Allan Ingram (Thrupp: Sutton Publishing, 1997), pp. vii-viii (p. vii).

recover? Foucault believed it did not; that it was silenced by the medicalisation of insanity.<sup>143</sup> However, I still share in the aspiration of those who, like Roy Porter, believe that historians can at least hear an echo of the voices of the mad themselves. We can, for example, still hear the traces of a patient's voice in the long and eloquent writings of patient Henry Dodwell, and also, much less directly, via medical reports.

The historian G. M. Young said, it is the job of the historian 'to keep reading "till you can hear people talking."' <sup>144</sup> That view has certainly not been the dominant one in the decades since Foucault and Derrida transformed prevailing approaches to texts and their interpretation. And Marjorie Levine Clark highlights an additional methodological problem for historians of insanity: 'the thorny question of how we hear a patient's voice [...] is especially difficult with the insane, whose rational ability to represent themselves is an issue.'<sup>145</sup> Yet I tend to concur with Sander L. Gilman:

The private worlds created by the insane in their anguish are quite real. They are expressions about the myths they cast about the world and the fears they project into it [...] These myths shape our understanding of the daily realities that all of us of experience, whether our perception of the world is at the end of the spectrum we which label "normal" or that at the radically different end, which we label "pathological."<sup>146</sup>

Of course, none of the texts consulted in this thesis offer a direct window onto reality. It is one thing to find evidence of the myths and fears to which Broadmoor patients seemed to subscribe, judging from their letters to friends and family, or to the authorities. It is another to believe we have entered into their private lives, and their anguish, as Gilman puts it. But if we follow the method of Foucault and Porter and contextualise these texts with other contemporary sources, and also alongside scholarship on nineteenth-century gender, insanity and crime, we can gain some sense of what it

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<sup>143</sup> Foucault, *History of Madness*, p. 394.

<sup>144</sup> Quoted in Porter, 'Foreword', in *Voices*, ed. by Ingram, p. vii.

<sup>145</sup> Levine Clark, 'Embarrassed Circumstances', in *Sex and Seclusion*, ed. by Andrews and Digby, p. 126.

<sup>146</sup> Sander L. Gilman, *Disease and Representation: Images of Illnesses from Madness to Aids* (Ithaca and London: Cornell University Press, 1988), p. 99.



meant to be a criminal lunatic to the Victorians. This sense can be reconstructed using, amongst other things, the words written down by the patients themselves.

#### **IV. Thesis Outline and Structure**

Chapters One and Two are introductory chapters. Chapter One examines what it was like to be a man (patient or staff member) in the asylum. It considers how individuals experienced life in Broadmoor, the judgements they passed upon one another and the unlikely friendships they formed. Chapter Two examines how male patients were treated at Broadmoor and, in conjunction with Chapter Four, suggests that the treatment of men was in some ways more similar to that of women than historians have previously assumed.

Chapter Three is based on the case files of one-hundred-and-eighty-six insane convicts transferred to Broadmoor having become insane in prison. It considers the following: how and why convicts were diagnosed insane; convicts' trials and why they were not found insane when tried; imprisonment as a cause of insanity; and the problems caused by convicts at Broadmoor and their segregation from Queen's pleasure patients. In addition, an analysis of the Addresses and publications of Broadmoor's Medical Superintendents sheds new light on the criminal, not only in theory but also regarding their treatment in a criminal lunatic asylum.

Chapters Four, Five and Six are an examination of the crimes, trials and incarceration of a number of men committed to Broadmoor. Tracing the journey of individual patients from the time they committed the crime and throughout their trial and confinement is an unusual approach, and one possible because of the availability of the Broadmoor records. This approach has enabled an examination of the similarities and differences between attitudes towards crime and insanity, from the point of view of the

legal and medical profession, and laymen, whilst also highlighting conflicting attitudes within each of these subgroups.

Current scholarship suggests that when a mother murdered her child in Victorian England she was treated sympathetically by the press and in the courtroom: because the crime was considered antithetical to womanhood it was viewed as an indication of insanity. Chapter Four sheds new light on this topic through the cases of male child-murderers. It examines newspaper reports, trial transcripts, medical literature, popular works on fatherhood and asylum records in order to explore the cases of sixty men committed to Broadmoor between 1864 and 1900 for the murder of their children. It questions two assumptions of the literature on infanticide: first, the idea that it was only women who were thought to be going against nature if they killed their child; and second, that it was only women who regularly successfully pleaded insanity in such cases. The Broadmoor case studies not only demonstrate Victorian attitudes towards paternal child-murder but also provide valuable material illustrating affectionate models of Victorian fatherhood.

Chapter Five examines Victorian conceptions of male jealousy. It adds to the current literature, as previously discussed, by examining attitudes towards jealousy, insanity and crime using case studies of men committed to the asylum for the murder of their wives and sweethearts.

Chapter Six examines the controversial but relatively unknown case of Henry Dodwell who was committed to Broadmoor in 1878 after assaulting a judge. Dodwell was tried at the Old Bailey where, despite no medical evidence being presented, he was found guilty but insane. The medical profession criticised the verdict which, the *Lancet* was keen to point out, made Dodwell ‘a *lunatic* in the eyes of the law’ only. Furthermore,

alienists L. F. Winslow and J. M. Winn examined Dodwell after the trial and reported that he was sane. This was in vain however, and Dodwell was committed to Broadmoor where the controversy continued. This chapter examines an individual's own conception of his mental state and the agency he could exercise once committed, the conflict that existed between the legal and medical profession, and the disagreement that existed within the medical profession regarding ideas of insanity in the nineteenth century. It also provides a new perspective on the issue of wrongful confinement.

This thesis adds to current studies on the criminally insane in four ways. First, a large proportion of the research has been done through an analysis of records from Broadmoor, which were only released for public viewing in November 2008. As such, they have provided scope for original research highlighting the experience of the criminally insane in Britain's most infamous criminal lunatic asylum. Second, patients' records have been used to put together case studies of criminally insane men, who were then the subject of further investigation. Historians of crime and medicine have hitherto tended to focus exclusively on the trial of a criminal lunatic, thus tracing criminal lunatics through the system is an original way of looking at how individuals were categorised from the moment they committed a crime. Furthermore, the availability of patient letters enables a further strand of analysis to be added to the discussion of life in the asylum. Third, it adds to current literature on crime and criminal insanity by looking at the experience of ordinary men. Both homicidal and non-homicidal crimes are considered, as are crimes that have traditionally been viewed as typically female, such as infanticide. Finally, it contributes to the growing scholarship on male madness and the experience of men in asylums, as well as contributing more broadly to the history of masculinity.

## Chapter One: Being a Man at Broadmoor

Throughout the nineteenth century, the public school, universities, armed services, colonial administration, settlement houses and the Anglican celibate orders were all homo-social environments.<sup>147</sup> So too was the male division at Broadmoor, a space within which men in very different roles interacted with one another. This is the first of two chapters mapping the social and medical frameworks inhabited by men in Victorian Broadmoor. It is an overview of the men at the asylum: its staff and its patients. It considers who they were, how they experienced life in Broadmoor, the judgements they passed upon one another and the unlikely friendships they formed. What being a man at Broadmoor meant for patients and their families is also considered.

### I. Broadmoor's Men

#### a) Staff

Broadmoor had four Superintendents between 1863 and 1900: John Meyer (1863-1870), William Orange (1870-1886), David Nicolson (1886-1896) and Richard Brayn (1896-1910). It was the Superintendent's job to classify the patients and examine them on arrival, and to make daily visits to all parts of the asylum as well as random night visits. He was required to keep records on all patients and their condition, and inspect patients' incoming and outgoing letters.<sup>148</sup> The biographies and ethos of each Superintendent are discussed in Chapter Two. The Superintendent was assisted by a Deputy Medical

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<sup>147</sup> John Tosh, *Manliness and Masculinities in Nineteenth-Century Britain* (Harlow: Pearson Education Limited, 2006), p. 114.

<sup>148</sup> *Rules for the Guidance of the Officers of Broadmoor Criminal Lunatic Asylum* (London: George E. Eyre and William Spottiswoode, 1863), p. 3.

Superintendent and an Assistant Medical Officer, and he worked closely with the chaplain, schoolmaster, servants and attendants.<sup>149</sup>

Attendants were responsible for patients' safety and had to report all 'accidents, bruises, or scratches, however trivial [...] to the medical officer on duty.' They washed and clothed patients who were incapable of doing so themselves, shaved the male patients three times a week, and circulated newspapers, periodicals and books to patients. They also introduced draughts, chess and cards in the evenings.<sup>150</sup> Broadmoor's medical officers treated attendants' families living on the estate, and if further medical assistance was required, financial assistance was available via an offertory fund.<sup>151</sup> Attendants received one-day leave every ten days. Owing to the special need of Broadmoor's patients, there were five patients to one attendant.

## **b) Patients**

Studies of nineteenth-century county asylums undertaken by Andrew Scull, Joan Busfield, Pamela Michael, Joseph Melling, Bill Forsythe and David Wright, have convincingly questioned the assumption of some, such as Elaine Showalter, that women outnumbered men in asylums.<sup>152</sup> It is now generally understood that madness and femaleness were not correlated to the degree previously suggested. Given that criminal activity is overwhelmingly male, it is unsurprising that criminal lunacy was statistically

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<sup>149</sup> There were also numerous clerks, cooks, gardeners and stokers, as well as a gatekeeper, messenger, coal porter, baker, shoemaker, tailor, carpenter and a mattress maker. D/H14/B2/1/1, staff list.

<sup>150</sup> *Rules for the Guidance of Officers, Attendants, and Servants of Broadmoor Criminal Lunatic Asylum* (London: Ford and Tilt, 1869), pp. 3-5.

<sup>151</sup> *Ibid.*, pp. 7-8.

<sup>152</sup> Joan Busfield, 'The Female Malady?: Men, Women, and Madness in Nineteenth-Century Britain', *Sociology*, 28 (1994), 259-77; Andrew Scull, *Social Order/Mental Disorder: Anglo-American Psychiatry in Historical Perspective* (London: Routledge, 1989), pp. 267-79; Pamela Michael, 'Class, Gender and Insanity in Nineteenth-Century Ireland', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (New York: Rodopi, 2004), pp. 95-122; Joseph Melling, 'Sex and Sensibility in Cultural History: The English Governess and the Lunatic Asylum, 1845-1914', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 177-222; Elaine Showalter, *The Female Malady: Women, Madness and English Culture, 1830-1980* (New York: Virago Press, 1987), p. 17.

male. In her examination of the gendering of madness, Busfield noted that there were more males than females in Broadmoor.<sup>153</sup> A closer examination of the admission registers reveals the extent to which men outnumbered women in the asylum. It is clear that male admissions always exceeded female [Figure 1] but the extent to which this was the case is striking. Other than in 1863 when only females were admitted and a slight dip in admissions in 1872, males always made up around 80% of the annual asylum admissions [Figure 2].<sup>154</sup>

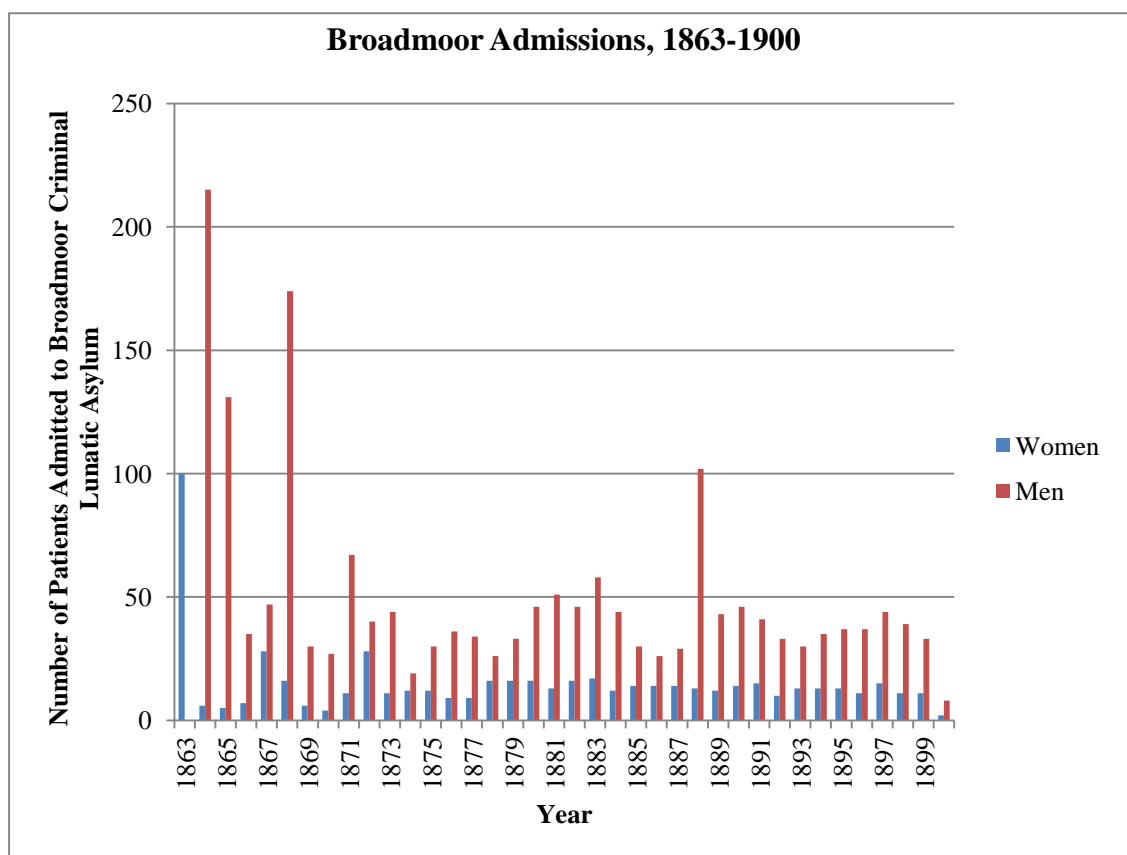


Figure 1. Broadmoor Admissions, 1863-1900

<sup>153</sup> Joan Busfield, *Men, Women and Madness: Understanding Gender and Mental Disorder* (London: Macmillan Press, 1996), p. 128.

<sup>154</sup> It would be interesting to compare the statistics generated for this thesis to those representing the Victorian prison population.

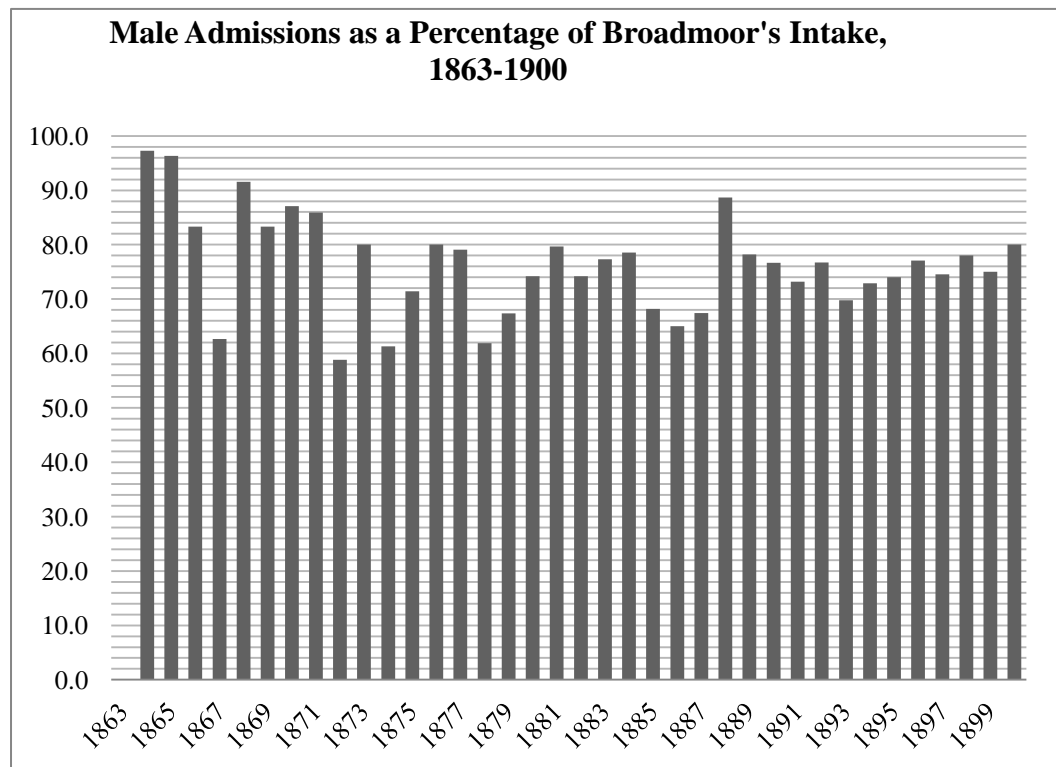


Figure 2. Male Admissions

Press reports represented criminal lunatics as male. An examination of press reports from the 1860s and 1870s indicates that ideas of degeneration, which had entered British discussions on insanity and crime in the 1850s, informed some journalistic representations of Broadmoor.<sup>155</sup> In 1865 ‘The Terrors of Broadmoor’ was published in the *Penny Illustrated Paper*. This was a report on the Strong Block (Block 1) where the most ‘fearful collection of patients’ resided. This included ‘G’, a man ‘not so much mad as irrevocably bad – a kind of modern Frankenstein, born apparently without a moral nature [...] He alone possesses powers of combination and can gain over his dangerous associates to do his will’.<sup>156</sup> The same year, *The Times* described Broadmoor’s patients using language similar to that employed by some British criminologists and European

<sup>155</sup> Daniel Pick, *Faces of Degeneration: A European Disorder, 1848-1918* (Cambridge: Cambridge University Press, 1989), p. 178.

<sup>156</sup> ‘Criminal Lunatics at Broadmoor’, *Penny Illustrated Paper*, 21 January 1865, p. 3.

criminal anthropologists to differentiate the criminal from other men, something examined in Chapter Three:

In the sitting-room, which is nearly always full, the first thing that strikes [you] on entrance is [...] the criminal type of all the faces [...] The low mental organisation which one always finds associated with crime in the common run of criminals, the small head, narrow and receding forehead, and restless furtive eyes are at Broadmoor intensified, and in most cases accompanied with a weakly, undersized physical development. Small ill-formed heads, narrow, stooping shoulders, weak limbs, and the shuffling hesitating gait, are the rule among them.<sup>157</sup>

Representations of Broadmoor's patients were not all negative. In 1867, the *Illustrated London News* published a complimentary report on the asylum's regime, alongside which were images of an orderly female dormitory, a male patient playing the violin in his clean, single room, and male patients sitting in a day room enjoying a variety of activities and amusements surrounded by artwork [Figure 3].<sup>158</sup> Such reports distinguished life in Broadmoor from the zoo-like depictions of Bethlem made by the press ten years previously, as discussed in the Introduction, and countered reports which appeared in the *Penny Illustrated* and *The Times*.

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<sup>157</sup> 'A Visit to the Criminal Lunatic Asylum', *The Times*, 13 January 1865, p. 10.

<sup>158</sup> 'The Broadmoor Criminal Lunatic Asylum', *Illustrated London News*, 24 August 1867, p. 208.



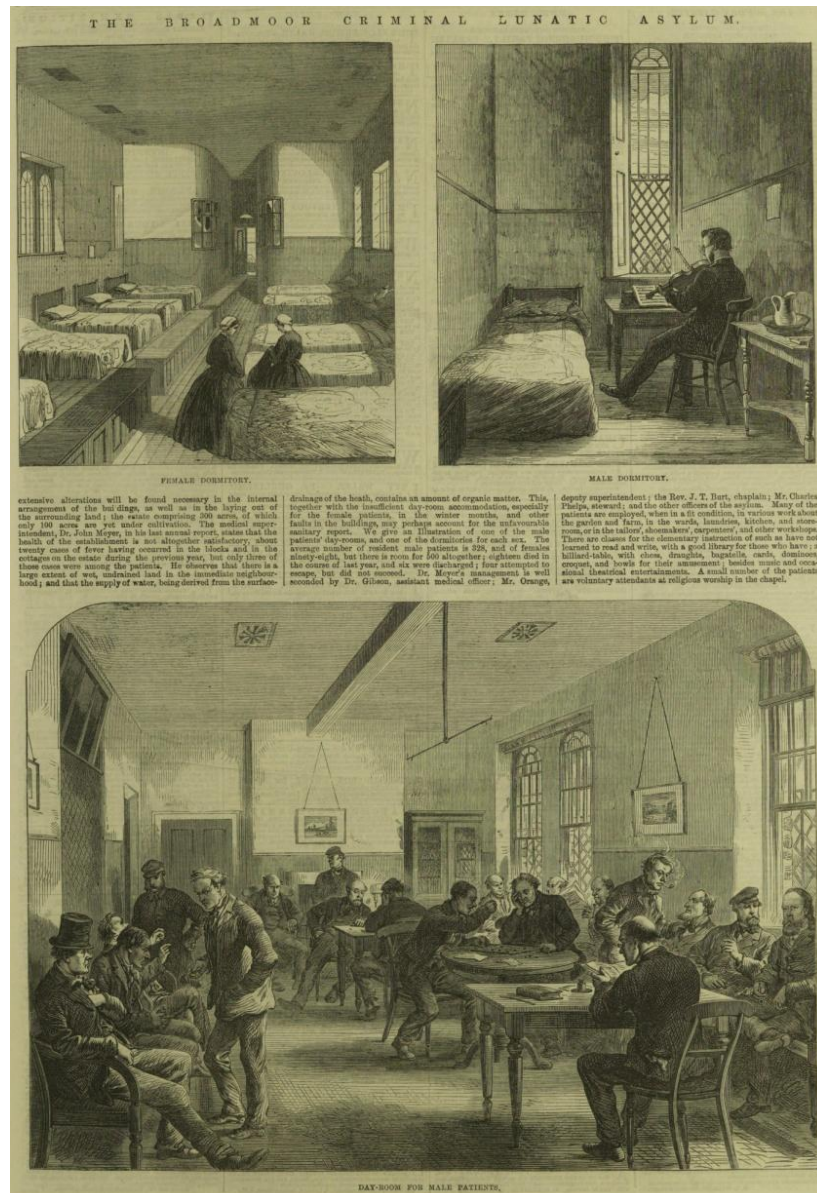


Figure 3. Broadmoor Criminal Lunatic Asylum, *Illustrated London News*

An examination of letters found in patient case files suggests that the fearful image presented in press reports entered the minds of some laymen, thus lending support to Charlotte MacKenzie's argument that 'There is ample evidence from Victorian letters, diaries and autobiographies that upper and middle class families feared asylums [...] and had low expectations of the kind of care their relatives might receive.'<sup>159</sup> At Broadmoor,

<sup>159</sup> Charlotte Mackenzie, 'A Family Asylum: A History of the Private Asylum at Ticehurst in Sussex, 1792-1917' (unpublished doctoral thesis, University of London, 1986), p. 278. Andrew Scull makes a similar

the fears of the middle class appear in part to have been borne out of class prejudice and the desire of the better-off to differentiate themselves from the working classes.<sup>160</sup> In 1879, Frances Collins, a friend of the wife of patient Charles Cornish, expressed her concern to Orange that the woman wanted to visit her husband at the insistence of her ‘pig-headed old mother-in-law’ who had arranged a trip to Broadmoor ‘as a sort of holiday jaunt.’ She could only imagine one reason why she wanted to visit the asylum: ‘I believe the lower classes as a rule like a feast of horrors.’<sup>161</sup> Such opinions might suggest, as Bethlem’s Superintendent W. D. Hood feared would happen, that Broadmoor came to be viewed ‘in the light of a Bastille [...] desecrated by [...] popular odium.’<sup>162</sup> It is shown later in the chapter, however, that this was not a view shared by all members of the public.

At county asylums such as Exminster, Colney Hatch and Northampton, patients undertook regular walks and excursions from the asylum into the local area.<sup>163</sup> This, as Melling and Forsythe write, allowed the asylum to become ‘an established fixture within county society’.<sup>164</sup> At Broadmoor this was not allowed and thus, until the late 1890s when outside entertainers were employed, the asylum lacked links with the local community. In conjunction with sensationalist press reports and class prejudice, this may be why an air of mystery and fear surrounded the type of man incarcerated in the asylum. The

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remark in *The Insanity of Place, The Place of Insanity: Essays on the History of Psychiatry* (London and New York: Routledge, 2006), p. 23. Deborah Weiner suggests that the press constructed a sensationalised image of Broadmoor in the popular imagination, “‘This Coy and Secluded Dwelling’: Broadmoor Asylum for the Criminally Insane’, in *Madness, Architecture and the Built Environment*, ed. by Leslie Topp, James E. Moran and Jonathan Andrews (New York and London: Routledge, 2007), pp. 131-148.

<sup>160</sup> Dan Bivona and Roger B. Henkle, *The Imagination of Class: Masculinity and the Victorian Urban Poor* (Columbus: The Ohio State University Press, 2006), p. 6.

<sup>161</sup> D/H14/D2/2/1/918/17, letter to Orange.

<sup>162</sup> Hood quoted in David Nicolson, ‘A Chapter in the History of Criminal Lunacy in England’, *Journal of Mental Science*, 23 (July 1877), 165-185 (p. 176).

<sup>163</sup> Showalter, *Female Malady*, p. 38; W. A. F. Browne, ‘The Moral Treatment of the Insane: A Lecture’, *Journal of Mental Science*, 20 (October 1864), 309-337 (p. 318); Joseph Melling and Bill Forsythe, *The Politics of Madness: The State, Insanity and Society in England, 1846-1914* (London and New York: Routledge, 2006), p. 122.

<sup>164</sup> Melling and Forsythe, *Politics*, p. 112.

accumulation of pauper lunatics in nineteenth-century asylums may have also have contributed to such feelings.<sup>165</sup>

An examination of the social class of Broadmoor's patients and of the crimes committed suggests a different picture to that presented in some newspapers such as *The Times* and the ideas some members of the public appear to have entertained about the asylum's patients. The occupation of patients recorded on the admission registers is one way to examine their social class. It is not clear to what extent the registers referred to the employment of patients at the time they committed the crime because in some cases they had not worked for many years and their previous occupations were listed. Moreover, in some cases it is not possible to determine a patient's occupation because it was not recorded.

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<sup>165</sup> David Wright, 'The Discharge of Pauper Lunatics from County Asylums in Mid-Victorian England: The Case of Buckinghamshire, 1853-1872' in, *Insanity, Institutions and Society, 1800-1914: A Social History of Madness in Comparative Perspective*, ed. by Joseph Melling and Bill Forsythe (London and New York: Routledge, 1999), pp. 93-113.

	1864- 1867	1868- 1872	1873- 1877	1878- 1882	1883- 1887	1888- 1892	1893- 1897	1898- 1900	Average, 1864- 1900
Class 1 <sup>166</sup>	1.3	0.3	-	1.1	2.7	3.5	0.6	5.1	1.8
Class 2	7.5	7.6	13.5	15.1	14.5	9.8	11.5	7.6	10.9
Class 3	68.2	78.8	69.9	68.1	72.0	71.9	69.0	75.9	71.7
Class 4	11.3	8.9	12.9	12.4	8.1	12.5	15.5	8.9	11.3
Unknown/None	11.8	4.3	3.7	3.2	2.7	2.3	3.4	2.5	4.2

Table 1. Occupations of Men Admitted to Broadmoor

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<sup>166</sup> class 1: gentlemen, bankers, merchants, landowners, professional men; class 2: retailers, craftsmen, artisans, teachers, clerks; class 3: skilled and semi-skilled workers; class 4: unskilled workers. Classification of patients taken from Anne Digby, *Madness, Morality and Medicine: A Study of the York Retreat 1796-1914* (Cambridge: Cambridge University Press, 1985), p.227.

Table 1 shows that the majority of male patients committed to Broadmoor were skilled or unskilled workers. Although surgeons, barristers, lawyers, solicitors, and gentlemen were committed, they formed just 1.8% of Broadmoor's population between 1864 and 1900. 71.7% were from class 3 and 11.3% of men were from class 4. Broadmoor's predominantly working-class population was no different to the general population of England and Wales, but did differ to the exceedingly poor population of criminal lunatics at Dundrum.<sup>167</sup> In 1882, The Departmental Commission on Criminal Lunacy for England and Wales reported little difference between pauper and criminal lunatics:

pauper lunatics are largely drawn from the lowest and worst classes of the community, that is from the same classes which yield largely the inmates of prisons, thieves, prostitutes, drunkards, the idle and dissipated, persons leading turbulent lives and given to violence, persons unrestrained either by intelligence or morality.<sup>168</sup>

Research undertaken by Peter Bartlett, Melling and Forsythe has questioned the (contemporary and scholarly) assumption that the worst and poorest classes of society inhabited asylums.<sup>169</sup> Likewise, the statistics generated for this thesis suggest that the majority of Broadmoor's patients were not drawn from the worst classes. In his 'Responsibility in Criminal Cases' (1878) Nicolson described Queen's pleasure patients:

They do not belong to the higher or middle classes of the community; nor (before their offence) do they belong to the pauper class. Remembering that insanity spares neither the rich nor the poor, is it not strange that one of the most unpleasant phases of it should limit itself, for the most part, to one (what may be called the "poorer") social region, and avoid the two extremes?<sup>170</sup>

The explanation he suggested was that unlike wealthy men who could pay for their care or had friends to care for them when insane, or insane paupers who were committed to an

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<sup>167</sup> Pauline Prior, *Madness and Murder: Gender, Crime and Mental Disorder in Nineteenth-Century Ireland* (Dublin & Portland, OR: Irish Academic Press, 2008), p. 39.

<sup>168</sup> Quoted in Ibid.

<sup>169</sup> Peter Bartlett, *The Poor Law of Lunacy: The Administration of Pauper Lunatics in Mid-Nineteenth Century England* (London: Leicester University Press, 1999); Melling and Forsythe, *Politics*, pp. 162. 173.

<sup>170</sup> David Nicolson, 'The Measure of Individual and Social Responsibility in Criminal Cases', *Journal of Mental Science*, 24 (July 1878), 249-273 (p. 272).

asylum, 'The bread-winning father of a family cannot afford to give up work and lie by or a seek a change in time, he struggles on for the sake of the "little ones;" or in other cases, the relations do not take heed in time.'<sup>171</sup> The struggling individual eventually commits a criminal act thus indicating the dangerous nature of their insanity and qualifying them as a criminal lunatic.

Murder and attempted murder were the most common crimes committed by Broadmoor's male and female patients [Figure 4].<sup>172</sup> The term 'criminal lunatic' conjures a picture of a dangerous person who is out of control but when patients' crimes and motivations are examined this image becomes slightly blurred. In 1905 alienist Charles Mercier wrote:

The homicidal act of an insane person is usually an isolated act, done in a mood of intense exasperation, and not likely to be repeated. Were it otherwise, it is obvious that Broadmoor, in which so many lunatics who have perpetrated homicide find a permanent home, would be a pandemonium of perpetual uproar. It is nothing of the kind. There we see scores of murderers, peacefully and tranquilly pursuing industrial avocations, and giving their custodians no apprehension of renewal of assault.<sup>173</sup>

Mercier's description of peaceful industry inside Broadmoor can be juxtaposed with the failure to cope with the demand for masculine industrious productivity in the outside world which brought some men, by their own and medical accounts, to the asylum. It might even be suggested that the ideology of work subscribed to by the middle classes which, as Sean Brady shows, was promoted in working-class newspapers and by trade unions, played a role in the creation of criminal lunatics through the formation of an ideal

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<sup>171</sup> Ibid. In 1899, Broadmoor's medical officer, Dr Reginald Noott, told the meeting of the South-Western Division of the *Journal of Mental Science* that in Broadmoor, 'There was a very large percentage of the lower middle class, and a very small number of the well-to-do. In the lower middle classes the relatives thought two or three times before they got rid of the breadwinner.' 'South-Western Division', *Journal of Mental Science*, 45 (1899), 193-199 (p. 196).

<sup>172</sup> Figure 4 includes figures for crimes committed by five or more patients. 'Attempted Murder etc' includes wounding, malicious wounding and shooting with intent to kill. 'Other' includes 'carnally knowing girls', stealing ducks, concealing birth and infanticide, exposing a child, libel, sending indecent postcards, sodomy, and night poaching.

<sup>173</sup> Charles Mercier, *Criminal Responsibility* (Oxford: Clarendon Press, 1905), pp. 123-124.

of economic productivity that was impossible for some men to meet.<sup>174</sup> Once within Broadmoor, these same men had the opportunity to live out a fantasy version of productive labour, cushioned from the fears and hardships of, and the competition for, work.

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<sup>174</sup> Sean Brady, *Masculinity and Male Homosexuality in Britain, 1861-1900* (Basingstoke: Palgrave Macmillan, 2005), p. 47. Also, Tosh, *Manliness and Masculinities*, p. 42.

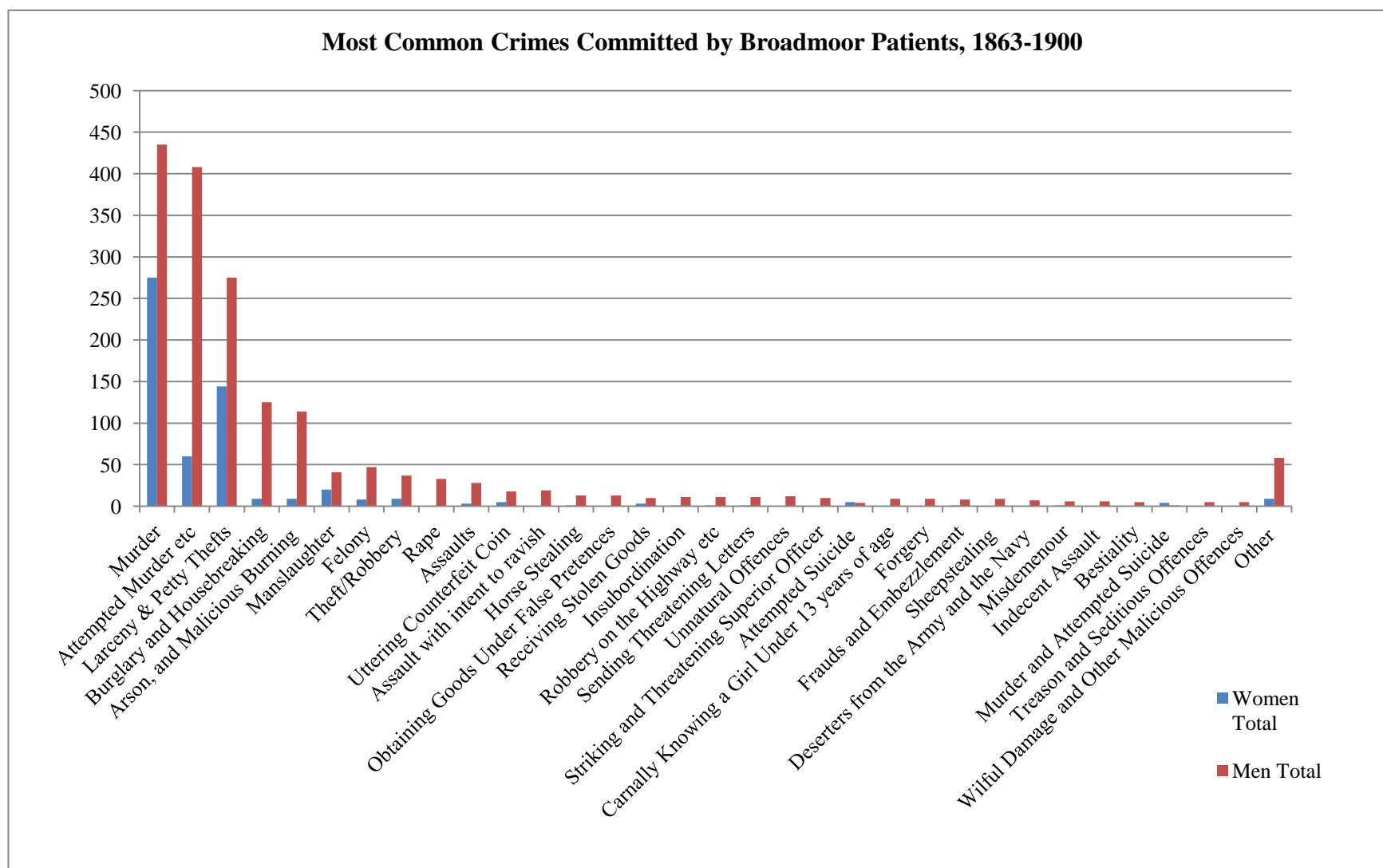


Figure 4. Graph showing the most common crimes committed by patients, 1863-1900



A more precise image of the type of patient who walked Broadmoor's corridors can be ascertained from an examination of the verdicts they received at their trials. The admissions registers are difficult to interpret when it comes to assessing verdict. In some cases, usually those of insane convicts, the sentence handed to patients was recorded, for example transportation or hard labour, and in other cases a verdict such as 'acquitted insane' or 'guilty but insane' was recorded. Overall, ten categories were listed in the 'verdict or order of court' column of the admission registers.<sup>175</sup> To make the data easier to unpack it has been collated into three categories: insane, convicted and not stated. Figure 5 highlights the different numbers of Queen's pleasure patients and insane convicts present at Broadmoor. 61% of women and 48% of men committed to Broadmoor between 1863 and 1900 were Queen's pleasure patients and had been found insane before, during or immediately after their trials. 36% of women and 51% of men were insane convicts and had therefore been convicted before allegedly going insane in prison.

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<sup>175</sup> They were: 'acquitted insane', 'insane before trial', 'insane on arraignment', 'not guilty on the grounds of insanity', 'convicted', 'hard labour', 'imprisoned', 'penal servitude' and 'transportation'. After the law changed the wording of the verdict in 1883, 'guilty but insane' was recorded (although sometimes the old wording was still used). The verdict was changed because 'it had been wisely thought that people who were only partially mad at the time they found the resolution to commit a crime would be more deterred from so doing if the verdict was one of guilty of committing the act charged.' HC Deb 16 August 1883, Vol. 283, col 922; Trial of Lunatics. [H.L.] A bill intituled an act to amend the law respecting the trial and custody of insane persons charged with offences, 1883 (292) X.455.

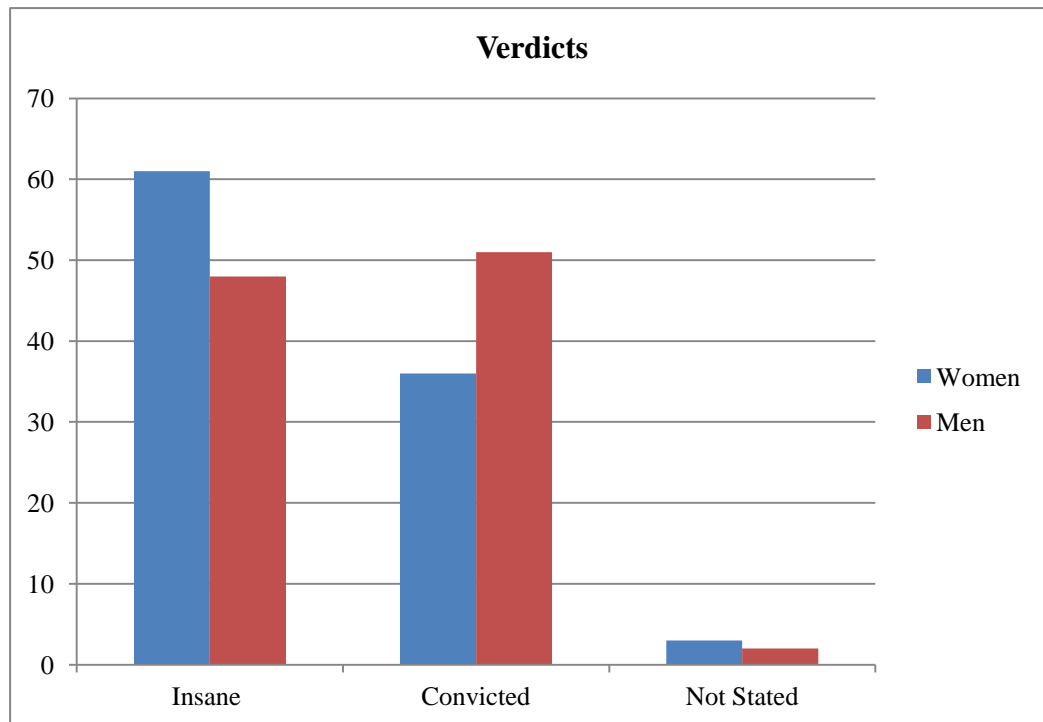


Figure 5. Verdicts handed to patients as a percentage, 1863-1900

## II. Life in Broadmoor

### a) Being a Man

The ideal Victorian man, as depicted in art, literature and medical and legal discourse, was hard-working, rational and active.<sup>176</sup> He also spent some of his time participating in leisure pursuits. Their obituaries suggest that Broadmoor's Superintendents' epitomized this middle-class masculinity. Orange 'was well fitted by a good physique, a sound judgement, an equable temperament, and a strong will.' He was also reportedly well-read, fond of riding, and attended and participated in 'glee and light operettas'.<sup>177</sup> Nicolson was a 'keen cricketer' and Brayn was 'always working hard' but was also a 'keen lover of country life and sports.'<sup>178</sup>

<sup>176</sup> Martin Danahay, *Gender at Work in Victorian Culture: Literature, Art and Masculinity* (Aldershot: Ashgate Publishing, 2005), p. 27.

<sup>177</sup> David Nicolson, 'Obituary: William Orange', *BMJ*, 13 January 1917, 67-69 (p. 68).

<sup>178</sup> James Crichton-Browne, 'David Nicolson', *Journal of Mental Science*, 324 (January 1933), 1-3 (p. 3); 'Obituary: Sir Richard Brayn', *BMJ*, 23 March 1912, p. 705. John Meyer's obituary contains little information about his character and hobbies.

It was assumed by some contemporaries, such as Samuel Smiles, that ‘most men are like so many gems in the rough, which need polishing by contact with other and better natures, to bring out their full beauty and lustre.’<sup>179</sup> This ideology appears to have been reflected at Broadmoor where it was seemingly vital for the asylum’s staff to epitomize the morality and values they preached, and whilst the Superintendents presumably needed no guidance in this matter, the working-class attendants appear to have required some refinement. In 1864, Broadmoor’s chaplain, Reverend Burt, recommended that ‘every measure tending to promote morals and religion among the servants’ should be taken. This included the construction of a library and a reading room to teach the attendants morality and values, as well as counteract the harm caused by working in a criminal lunatic asylum.<sup>180</sup> Broadmoor’s governing body, the Council of Supervision, agreed, and a reading room and library opened in January 1866. In addition, a dance was held every six weeks, penny readings were established, and there was a savings scheme for ‘[t]hose who are willing to exercise a little self denial in endeavouring to provide to some extent for their families.’<sup>181</sup> Attendants who were violent, immoral or neglectful of the patients and their duties were severely reprimanded and risked losing their job.<sup>182</sup> In 1867, sixteen male attendants were discharged, including three for drunkenness, one for using abusive language towards a patient, one for dishonesty and eight were deemed ‘unsuited for the work.’<sup>183</sup> Broadmoor’s attendants not only had to embody certain values but had to uphold and enforce them amongst the patients also; they reported instances of bad

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<sup>179</sup> Smiles, *Character* (1871) quoted in Emelyne Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (Basingstoke: Palgrave Macmillan, 2011), p. 63.

<sup>180</sup> John Meyer, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1864* (London: George E. Eyre and William Spottiswoode, 1865), p. 9.

<sup>181</sup> John Meyer, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1867* (London: George E. Eyre and William Spottiswoode, 1868), pp. 6-7.

<sup>182</sup> An examination of the Broadmoor records suggests that a number of attendants were physically and verbally attacked by patients. When attempting to defuse volatile situations, some attendants caused a patient injury. William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1870* (London: George E. Eyre and William Spottiswoode, 1871), p. 9.

<sup>183</sup> Meyer, *Reports of the Superintendent* (1867), p. 6.

language, violence, threats and idleness to the Superintendent and medical officers, and condemned patients when they behaved improperly. Successful were those who calmly and effectively instructed troublesome patients.<sup>184</sup>

Broadmoor's staff, as well as the friends and family members of some patients, assumed that those incarcerated within the asylum were not only influenced by the behaviour of the staff but by the examples set by one another. Whilst men could be improved by association with their social superiors, it was also assumed that they would decline if they were placed in morally inferior company. As Emelyne Godfrey writes, 'polished objects can be easily tarnished if they are not maintained.'<sup>185</sup> George Macqueen objected to 'gentleman' George Henry Smith's confinement because he believed that he was destined to associate with not-so-gentle-men: 'the vulgar, the ignorant, the brutal, the obscene and the blaspheming.' He asked the Home Secretary, George Grey, to transfer Smith to an asylum where he would not be subjected to 'such degrading and maddening companionship.'<sup>186</sup> The reportedly unindustrious and abusive Alfred Bligh was transferred to a different Block because Nicolson believed that he was 'a bad example to others for a man of intelligence.'<sup>187</sup> The immorality and dirty habits reportedly exhibited by insane convicts were presumed by Broadmoor's staff to be contagious which eventually resulted in the separation of the two classes of patient, something discussed in Chapter Three. Before Broadmoor's construction, the Lunacy Commissioners recommended that 'special accommodation for male patients of the upper and middle classes, who have either received education of a somewhat superior character, or been accustomed to greater comforts than general patients' should be provided.<sup>188</sup> The result

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<sup>184</sup> For example, D/H14/D2/2/1/1284/17, memorandum to Nicolson.

<sup>185</sup> Godfrey, *Masculinity*, p. 63.

<sup>186</sup> D/H14/A1/2/5/1, Correspondence from Whitehall, pp. 320-323.

<sup>187</sup> D/H14/D2/2/1/1284/29, letter from Nicolson.

<sup>188</sup> NA, MH 51/49-4074, Lunacy Commissioners' Report.

was Block 2, a place where educated and well-to-do men such as George Smith, William Minor and Henry Dodwell, the subject of Chapter Six, were placed upon their arrival. If they misbehaved, however, they were transferred to another Block where they would not influence the other patients or disrupt the regime.

An examination of medical reports, memoranda and letters to and from Broadmoor's staff highlights the variety of symptoms and characteristics that were perceived to distinguish male patients from ordinary men. Deirdre David writes that the middle-class tended to view intellectual pursuits as 'unprofitably utilized leisure' and promoted 'useful' work only.<sup>189</sup> At Broadmoor, rather than occupying himself usefully, Thomas Dean, according to his medical report, 'spends all his time [...] writing out verses of the Bible [and] doing sums [...] [he] puts an extraordinary value on these [...] which are really worthless.' Such behaviour was considered 'indication of [Dean's] insanity.'<sup>190</sup> The ideal man was industrious, willing and able to provide for his family and for himself, rational and self-controlled. He was aware of his responsibilities,<sup>191</sup> was energetic and did not practice sodomy or masturbation, the latter indicating passion and a lack of self-control.<sup>192</sup> He was also temperate, and it was sometimes noted if a man had abstained from the beer provided for patients at dinner.<sup>193</sup> Men who failed to embody manly ideals and who were disruptive to the asylum's regime risked being placed in seclusion or

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<sup>189</sup> Quoted in Danahay, *Gender at Work*, p. 41.

<sup>190</sup> D/H14/D2/2/1/987/21, medical report.

<sup>191</sup> Robert Moore Colling was reportedly so overwhelmed by delusions of persecution that he was unable to entertain 'a right sense of his social relations and personal responsibilities.' He was refused discharge. D/H14/D2/2/1/1117, medical report.

<sup>192</sup> Queen Victoria's physician referred to masturbation as 'an unmanliness despised by men.' Quoted in Peter Stearns, *Be A Man!: Males in Modern Society*, 2<sup>nd</sup> edn (New York and London: Holmes and Meier, 1990), p. 126. Also, Janet Oppenheim, *Shattered Nerves: Doctors, Patients and Depression in Victorian England* (New York: Oxford University Press, 1991), pp. 159-160. For sodomy and masturbation at Broadmoor, D/H14/D2/2/1/1440 Edward Wilkinson's case file; D/H14/D2/2/1/1239. Frederick Marshall's case file.

<sup>193</sup> For example see the following case files, D/H14/D2/2/1/731, Henry Seyman; D/H14/D2/2/1/1277, James Walker; D/H14/D2/2/1/1479, Joseph Wood.

refused discharge, as happened to women in county asylums who failed to embody feminine virtues.<sup>194</sup>

Industry and the willingness to provide for one's family were seemingly clear indications of sanity. They were also commonly ascribed in medical literature, the courtroom, the press and in social commentary to manliness. As such, they have commonly been referred to as facets of a bourgeois constructed ideal.<sup>195</sup> Peter Stearns and Ying S. Lee have both suggested that working-class men associated manliness with the possession of a skill, an industrious disposition and physical strength.<sup>196</sup> The Broadmoor records lend some support to their conclusion. Patient Richard Hammett told Nicolson, 'If I had my release I should be able to get work [...] as I understand both the letterpress and the lithographic printing and I am a man that can make myself useful in many ways.'<sup>197</sup> And Jesse Oakley told Brayn, 'Being strong and hearty I am sure I could get farm work.'<sup>198</sup> It might be suggested that patients attributed industry, skill and strength to themselves because they knew that it might help their chances of release. Whilst this may have sometimes been the case there were patients whose sense of identity was seemingly rooted in their socially-ascribed bread-winning role. The nineteenth-century belief that it was a father's prerogative to provide for his family, something discussed further in Chapter Four, was not lost on patients. Isaac Finch would not write to his family until he had some money to send, and Anthony Owston asked Orange for more money for his work in the asylum: 'my only object now is to do what I can to assist my family and not

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<sup>194</sup> Showalter, *Female Malady*, p. 81. The following case files: D/H14/D2/2/1/799, Edward Abbott; D/H14/D2/2/1/1284, Alfred Bligh; D/H14/D2/2/1/829, William Brown; D/H14/D2/2/1/1004, Thomas Buckley; D/H14/D2/2/1/760, Charles Field; D/H14/D2/2/1/1232, William Hudson; D/H14/D2/2/1/974, Thomas Spooner Litherland; D/H14/D2/2/1/227, Jesse Oakley; D/H14/D2/2/1/823, Sylvanus Sweet.

<sup>195</sup> Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987), p. 334.

<sup>196</sup> Stearns, *Be A Man!*, p. 96; Ying S. Lee, *Masculinity and the English Working-Class: Studies in Victorian Autobiography and Fiction* (New York and London: Routledge, 2007), p. 16.

<sup>197</sup> D/H14/D2/2/1/1085/20, letter to Nicolson. See also, D/H14/D2/2/1/1107, letter to Nicolson, 10 May 1886.

<sup>198</sup> D/H14/D2/2/1/227/10, letter to Brayn.

consider myself. I assure you I have denied myself almost of everything in the shape of luxuries or anything else purposely to send all I earned home.<sup>199</sup>

Some of Broadmoor's patients appear to have been acutely aware of the existence of different categories of men in the asylum. Clear demarcations were made between some Queen's pleasure patients and the convicts also in Broadmoor. In the 1870s, clergyman Henry Dodwell wrote to his son that a 'real man' was one who condemned immorality.<sup>200</sup> In 1879 he did just that when he complained that he and his fellow patients, who were 'rational and respectable men', were forced to associate with insane convicts who were engaging in sexual activity.<sup>201</sup> Sharing accommodation with those perceived to be sexually perverse was a common cause of complaint and another patient complained of 'Old John' (whom he referred to as a 'specimen'), a convicted rapist.<sup>202</sup> This supports what Warmark had observed during his time in the asylum: 'Even in Broadmoor there were grades of criminality – and much "class consciousness" regarding them. The unconvicted "guilty but insane" looked down upon the convict "time men."<sup>203</sup> In this context, manliness was not only linked to heterosexuality, but to a hierarchy of criminality. Some crimes were forgivable; sodomy and rape were not, its perpetrators unmanned by their impulsiveness, savageness and brutality.<sup>204</sup>

Some patients were aware of 'gentlemen' in the asylum. In 1886, John Ambrose Douglas complained to an attendant, 'Wendover and Pattinson are the only two

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<sup>199</sup> D/H14/D2/2/1/659/4, letter to Nicolson; D/H14/D2/2/1/963/8, letter to Orange. Other patients were aggrieved that their committal prevented the performance of other fatherly duties. Upon hearing that his son was drinking, patient George Vanschagen wrote to Nicolson, 'If I had my discharge I would let my light shine before [him]'. He considered it a 'father's duty' to show his children 'the consequence of leading a bad life.' D/H14/D2/2/1/1076/11, letter to George; D/H14/D2/2/1/1076/12, letter to Nicolson.

<sup>200</sup> D/H14/D2/2/1/936c/10, letter from Dodwell to his son.

<sup>201</sup> D/H14/D2/2/1/936a/201, letter to an unknown correspondent; D/H14/D2/2/1/936a/98, letter to the Council.

<sup>202</sup> D/H14/D2/2/1/1239/21, letter to Nicolson.

<sup>203</sup> Warmark, *Guilty but Insane: A Broadmoor Autobiography* (London: Chapman and Hall, 1939), p. 210.

<sup>204</sup> For the stigmatization of rape, Martin Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004), pp. 76-77.

gentlemen in the block, the others are a lot of damned bastards and their damned mothers are prostitutes.’<sup>205</sup> Insane convict, William Heaps, complained to the Council that the chaplain had sent two books from the library to a ‘gentleman’ but had not satisfactorily fulfilled his own request for some reading material.<sup>206</sup> And after being told he could not have custard for dinner because it was not on the diet list, Alfred Bligh complained, ‘there is a lot of gentlemen hear [sic] and they can get anything they ask for and a poor man like me can get nothing [...] if there is any justice in that.’<sup>207</sup>

By the 1850s it was no longer assumed that the gentleman had to belong to a specific class. According to Samuel Smiles,

Riches and rank have no necessary connexion with genuine gentlemanly qualities. The poor man may be a true gentleman [...] He may be honest, truthful, upright, polite, temperate, courageous, and self-helping, - that is a true gentleman. The poor man with a rich spirit is in all ways superior to the rich man with a poor spirit.<sup>208</sup>

As Martin Danahay writes, however, ‘this is suspiciously like trying to have your cake and eat it too because the term “gentleman” cannot be so neatly severed from its class connotations.’<sup>209</sup> The research undertaken for this chapter lends some support to this conclusion. Patients’ references to the ‘gentleman’ appear to have been based on class rather than behaviour.

Jonathan Andrews and Anne Digby refer to the ‘interesting but unresolved issue’ of assessing the degree to which class-consciousness existed amongst asylum patients.<sup>210</sup>

An examination of case files reveals that despite the proportionately low number of

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<sup>205</sup> D/H14/D2/2/1/1254/35, note to the Superintendent.

<sup>206</sup> D/H14/D2/2/1/ 1363, letter to the Council, 11 July 1889.

<sup>207</sup> D/H14/D2/2/1/1115, letter to Nicolson; D/H14/D2/2/1/1284/10-11, extracts from a letter.

<sup>208</sup> Smiles quoted in Danahay, *Gender at Work*, p. 25. Eminent judge, James Fitzjames Stephen, told *Cornhill Magazine*, ‘When we speak of the gentleman we [...] mean [...] a man socially pleasant, and we consider his goodness and wisdom, his moral and intellectual qualities as relevant to his claims to be considered a gentleman only in so far as they contribute to his social pleasantness.’ Quoted in Godfrey, *Masculinity*, p. 63.

<sup>209</sup> Danahay, *Gender at Work*, p. 31.

<sup>210</sup> Jonathan Andrews and Anne Digby, ‘Introduction: Gender and Class in the Historiography of British and Irish Psychiatry’, in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 7-44 (p. 17).



middle and upper-class patients, an element of class-consciousness existed in Broadmoor. A number of pauper patients complained about the quality and quantity of the food they were given.<sup>211</sup> In 1883, one patient sent Orange a piece of bread he had been given for breakfast ‘and asked his opinion of it’ because he ‘cannot live on it and is half-starved.’<sup>212</sup> And Thomas Argill believed the beer he was given at dinner was watered-down and was ‘not the same’ as that given to other patients.<sup>213</sup> The implication that other patients were given superior food was not inaccurate. In 1885, John Wendover, who previously had a soda cake baked for him in the kitchen, complained that a second cake had not been made for him:

[as] a person of independent means [I] should have anything that I may reasonably require in the shape of food, bought at my own expense cooked for me in the kitchen, and I protest as a private patient [...] being treated and placed on the same footing as a pauper [...] a pauper [...] has not the same ground as I have in demanding the few extra things which I have asked for.<sup>214</sup>

The luxuries acquired by private patients led to accusations of favouritism from pauper patients, some of whom complained that ‘rich’ patients are ‘treated different to me.’<sup>215</sup>

For some patients, class and gender were interlinked. As in private and mixed asylums, Broadmoor’s wealthier patients complained about being ‘lorded over by attendants not fit to be servants in their own household.’<sup>216</sup> David Wright has shown that male asylum attendants were not drawn from the ‘dregs of society’, thus questioning the contention of historians such as Lisa D. Smith who had previously suggested that this had

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<sup>211</sup> The Committee on Broadmoor Criminal Asylum (1877) reported that the food provided at the asylum was ‘far better and more ample than that of ordinary county lunatic asylums or of convict prisons, though convicts do hard work and the Broadmoor lunatics do little or none.’ ‘Broadmoor Asylum’, *Pall Mall Gazette*, 5 March 1877.

<sup>212</sup> D/H14/D2/2/1/877/12, memorandum to Orange.

<sup>213</sup> D/H14/D2/2/1/1485, note, 2 December 1891.

<sup>214</sup> D/H14/D2/2/1/1074/20-21, letter to Orange.

<sup>215</sup> Joseph James Kingsford frequently complained that he was treated differently because he was a pauper. See various letters in his case file, D/H14/D2/2/1/1115.

<sup>216</sup> Andrews and Digby, ‘Introduction’, in *Sex and Seclusion*, ed. by Andrews and Digby, p. 19.

been the case.<sup>217</sup> Nonetheless, the notion that attendants were socially undesirable was shared by some contemporaries, including lunacy reformers and alienists, as well as some of Broadmoor's patients. Wendover, a former engineer in the Royal Navy, called the attendants a 'bloody lot of paupers' and complained that patients should not be put to work because 'the attendants are paid for it and ought to do their own work.'<sup>218</sup> An examination of Wendover's complaints suggests that in addition to harbouring class prejudice, he also had very specific ideas about manly etiquette. In the 1890s, he complained that the attendants had spoken to him in a 'curt' and 'improper manner' and told Nicolson:

I do not think [...] any [...] attendant can charge me with a want of civility or uncouthness towards them. My manners or speech may be a little short and abrupt at times I admit, but that was required many years ago in the performance of my duty, and [...] I think that preferable to gushing [...] in a man which seems to go down so well with [the] principal attendants.<sup>219</sup>

Wendover's belief that displays of sentiment and emotion were bad was an increasingly popular one at the time he was writing, a time when over-emotionality ran counter to the physical and mental hardiness that was promoted in new discourses on imperialism.<sup>220</sup> This imperial identity was fused with a military masculinity; an identity which, Graham Dawson writes, prioritised stoicism and aggression.<sup>221</sup> Military masculinity was promoted in literature and within military institutions, and Wendover explicitly linked his time in the Royal Navy to his demeanour.

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<sup>217</sup> David Wright, "'The Dregs of Society?'" Occupational Patterns of Male Asylum Attendants in Victorian England', *International History of Nursing Journal*, 1:4 (1996), 5-19; Lisa D. Smith, 'Behind Closed Doors: Lunatic Asylum Keepers, 1800-1860', *Social History of Medicine*, 1 (1988), 301-27.

<sup>218</sup> D/H14/D2/2/1/1074/39, note to Nicolson; D/H14/D2/2/1/1074/30, memorandum.

<sup>219</sup> D/H14/D2/2/1/1074/33, letter to Nicolson.

<sup>220</sup> Tosh, *Manliness and Masculinities*, p. 113.

<sup>221</sup> Graham Dawson, *Soldier Heroes: British Adventure, Empire and the Imagining of Masculinities* (London and New York: Routledge, 1994), p. 1. Also, Oppenheim, *Shattered Nerves*, p. 150. Current and recent research by Philip Shaw and Holly Furneaux at the University of Leicester examines the other, more sentimental side of military masculinity. Philip Shaw, *Suffering and Sentiment in Romantic Military Art* (Farnham, England: Ashgate Publishing, 2013).

## b) Asylum Life

Simon Winchester depicts Victorian Broadmoor as a terrifying and cold establishment.<sup>222</sup> An examination of patient case files challenges this view. Winchester's view that Broadmoor was a 'crablike, ugly, and forbidding' set of buildings in which patients were restricted in their activities and feared the Superintendent was not shared by some of its patients. Matthew Jackson Hunter wrote to his sister:

It is a splendid block of buildings [...] pleasantly situated, has an extensive view and is very healthy [...] the patients spend most of their time [...] exercising in the gardens, reading the daily papers, monthly periodicals etc, there is also a well selected library [...] a cricket club, billiards, cards and other amusements. In the wintertime we have entertainments given by the patients, such as plays, singing, etc. [We] have a good brass band which gives selections of music every Monday evening during the summer months on the terrace opposite the chapel.

We have good food [...] clean clothes, good beds and bedding [...] [we] are treat[ed] with kindness by the officials placed over us, [and] have free conversation among the other patients.<sup>223</sup>

By their own accounts some patients enjoyed the activities and occupations provided for them, they made friends and were on good terms with Broadmoor's staff.<sup>224</sup> In 1887 John Wendover was transferred to the Holloway Sanatorium, a private asylum, but found he preferred life at Broadmoor.<sup>225</sup> In October 1891 he wrote to Nicolson:

I think that I have cause to complain. I would not willingly have come here if I had known that nearly the whole of my income was to be taken by Dr P[hillips] to keep me. In the first two years or so I went occasionally to London for a day [...] since then Dr P would not allow me telling me that I had no money to do so [...] now considering that the whole of my income [...] is paid in here for me, I think that I am entitled to have a fair share for my clothes and an occasional day [...] if some better arrangement [...] cannot be made I think I might as well be interred at Broadmoor.<sup>226</sup>

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<sup>222</sup> Simon Winchester, *The Surgeon of Crowthorne: A Tale of Murder, Madness and the Oxford English Dictionary* (London: Penguin Books, 1999), pp. 106-107 and *The Professor and the Madman: A Tale of Murder, Insanity, and the Making of the Oxford English Dictionary* (New York: Harper Perennial, 2005), pp. 117-118.

<sup>223</sup> D/H14/D2/2/1/1116, letter, 10 August 1883.

<sup>224</sup> For example, D/H14/D2/2/1/975/30, memorandum; D/H14/D2/2/1/729/5, letter to Orange; D/H14/D2/2/1/975/13, letter to Orange.

<sup>225</sup> D/H14/D1/1/1/2, Admissions Register, 1868-1900.

<sup>226</sup> D/H14/D2/2/1/1074/57, letter to Nicolson.

Although Wendover knew excursions like those he had undertaken from the Holloway Sanatorium were not permitted from Broadmoor and the sleeping accommodation was basic in comparison to the rooms of a private asylum, these were compromises he was prepared to make. His transfer back to Broadmoor was sanctioned in January 1894.<sup>227</sup>

Some patients readmitted themselves to the asylum following their release. One of these men was George Longmore who upon doing so reassured his brother: 'me coming to Broadmoor I know has been a sad blow to your feelings. I am sorry for causing you so much pain [...] [but] I shall be made as comfortable as can be while here.'<sup>228</sup> It is significant that patients returned to Broadmoor rather than their county asylum which in some cases would have been more convenient. Of course, it may not always have been a question of voluntary choice but one of an inner psychological compulsion. Patients may have been unable to cope with life away from Broadmoor or become pathologically dependent on Broadmoor's routines and on the care of the medical attendants. Whether nineteenth-century asylums cured the mad or acted merely as a means of removing the deviant and dangerous from the community has been debated. The fact that some patients readmitted themselves, as Oonagh Walsh argues, 'raises the possibility that patients did in fact regard the asylum as a means of recovery.'<sup>229</sup>

It has been suggested that some women preferred asylum life because their everyday lives were dreary. Showalter cites cases in which women were reported to have

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<sup>227</sup> D/H14/D2/2/1/1074/60, warrant for transfer to Broadmoor. Positive appraisals of life in Broadmoor were published in some newspapers to condemn the seemingly lenient treatment of murderers. 'Life in a Criminal Lunatic Asylum: Coddling our Murderers', *Dundee Courier and Argus*, 26 July 1898.

<sup>228</sup> D/H14/D2/2/1/1212/26, letter to Thomas Longmore. Benjamin Chapman Betts readmitted himself from his home town of Grimsby, D/H14/D2/2/1/631.

<sup>229</sup> Oonagh Walsh, 'Lunatic and Criminal Alliances in Nineteenth-Century Ireland', in *Outside the Walls of the Asylum: This History of Care in the Community 1750-2000*, ed. by Peter Bartlett and David Wright (London and New Brunswick, NJ: The Athlone Press, 1999), pp. 132-152 (p. 149). Well into the twentieth century asylum patients viewed institutions as a place of recovery and refuge. Barbara Taylor, historian and asylum patient in the 1980s, wrote that she viewed Friern (formerly Middlesex County Pauper Lunatic Asylum) as a 'sanctuary': 'I entered on my knees. I could no longer do ordinary life, and giving up the struggle was an incalculable relief.' 'The Demise of the Asylum in Late-Twentieth Century Britain: A Personal History', *Transactions of the Royal Historical Society*, 21(2011), 193-215 (p. 212).

been grief-stricken upon leaving the asylum and of women reportedly returning to visit the attendants and the friends they had made whilst incarcerated.<sup>230</sup> An examination of the cases of men who readmitted themselves suggests that they too found life outside the asylum testing, albeit for different reasons. Some reportedly relapsed into insanity as a result of profound grief following the death of a relative or as a result of feelings of jealousy towards their wives.<sup>231</sup> Some patients were openly unwilling to leave the asylum. Arthur Ludlow reportedly told the medical officers that ‘He would rather stay in Broadmoor than go back to Nottingham’ because he had a difficult relationship with his father and brothers and his wife had given birth to another man’s child.<sup>232</sup> For others, life in Broadmoor was respite from the world. Broadmoor’s medical officers reported that in the case of Robert Hallowell, ‘there can be no doubt that the quiet regularity of asylum life has been most beneficial in this case, where the mind was unable to sustain the strain and pressure of business anxiety.’<sup>233</sup> For men of all classes life in Victorian society was certainly taxing.<sup>234</sup> It is shown in Chapter Four that some men buckled under the pressure to care for, protect and provide for their families, and in Chapter Five that others struggled to adapt to changing attitudes towards marriage and the treatment of women. Such evidence suggests that a man’s social situation could sometimes lead to insanity, as also happened in female cases.<sup>235</sup>

Of course, not all patients were happy with their lives in the asylum. The grievances they had were the same as those found in most institutions and centred on

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<sup>230</sup> Showalter, *Female Malady*, p. 98.

<sup>231</sup> Longmore readmitted himself following the death of his sister and the alleged ill-behaviour of his wife, D/H14/D2/2/1/1212/12, medical report. George Wilson readmitted himself following the death of his wife, D/H14/D2/2/1/811.

<sup>232</sup> D/H14/D2/2/1/1310, medical report, April 1895.

<sup>233</sup> D/H14/D2/2/1/905/56, medical report.

<sup>234</sup> For the middle-class man, Oppenheim, *Shattered Nerves*, pp. 155-156.

<sup>235</sup> Showalter, *Female Malady*, p. 3; Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006), p. 13; Melling and Forsythe, *Politics*, pp. 132-133. 146.

internal issues such as the quality of the treatment received.<sup>236</sup> The behaviour of the Superintendent, attendants and medical officers was a major grievance of patients regardless of their class, and the Broadmoor cases support what Roy Porter found; that patients held shared feelings of suspicion and resentment towards the attendants and medical officers.<sup>237</sup> Samuel Knight complained to the Council that ‘patients are sneered at and bullied by the attendants’, and to prove an attendant had ‘tore out my whiskers by the handful’ sent some of his hair to Nicolson so he could ‘see for yourself.’<sup>238</sup> The records are dominated by such complaints. The night attendants came under particular attack and were accused of abuse and theft.<sup>239</sup> Upon hearing accusations of ill-treatment, the Lunacy Commissioners, as they did in all asylums and as they had been compelled to do since the 1845 Asylums Act, investigated the circumstances, as did the Superintendent. Patients’ complaints were sometimes disregarded because they were insane and attributed to conditions such as chronic delusional insanity.<sup>240</sup>

Queen’s pleasure patients and convicts both resented being kept from their families, accused the Superintendent of stopping their letters and the medical officers and attendants of tampering with their food and murdering their families.<sup>241</sup> Convicts also had complaints of their own. Some preferred the ‘stricktest [sic] discipline’ of prison and objected to the sacrifices they were forced to make following their committal.<sup>242</sup> Jacob Schneur wrote to the Council: ‘The idea of the corrupted principles and attendants is gradually shaped into a general rule that the man once falling into a lunatic asylum must

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<sup>236</sup> Andrews and Digby, ‘Introduction’, in *Sex and Seclusion*, ed. by Andrews and Digby, p. 18.

<sup>237</sup> Roy Porter, *A Social History of Madness: Stories of the Insane* (London: Phoenix, 1996), p. 183.

<sup>238</sup> D/H14/D2/2/1/877/8, letter to the Council; D/H14/D2/2/1/877/33, letter to Nicolson.

<sup>239</sup> See the following case files, D/H14/D2/2/1/790, William McKave; D/H14/D2/2/1/1092, William Griffiths; D/H14/D2/2/1/1239, Frederick Marshall; D/H14/D2/2/1/742, William Minor. For Minor’s delusions, Winchester, *Surgeon*, pp. 110-113. 139-141.

<sup>240</sup> D/H142/2/1/877/20, medical report.

<sup>241</sup> D/H14/D2/2/1/1552, letter to the Superintendent, August 1892; D/H14/D2/2/1/1478, James Butler’s case file; D/H14/D2/2/1/1480, Henry Jones’s case file.

<sup>242</sup> D/H14/D2/2/1/1375, letter to Nicolson, October 1890.

burn his ships, must unconditionally give up his possessions, desires, ambition and human right – to be stored up in a well-stopped bottle.<sup>243</sup> On account of their reportedly violent and disruptive nature, convicts experienced high levels of seclusion. Some considered this to be ‘in the light of punishment’ and as a result they were reportedly full of ‘Anger and hostility.’<sup>244</sup> Another cause of contention was the question of release. In her study of criminal lunatics in Warwick County Asylum, Janet Saunders found that insane convicts ‘expected to be discharged from the asylum at the end of their sentence as they would have been had they remained in gaol’, and when they realised their mistake they were angry and violent.<sup>245</sup> This was also the case at Broadmoor.<sup>246</sup>

Broadmoor’s convict patients were acutely aware of the prejudices against them.<sup>247</sup> William Heaps told the Council, ‘I want to get a removal back to prison where I shall be allowed without [...] hindrance [...] to follow my religion where I shall be allowed educational books, where all are treated as [equal] where Draconian does not prevail.’<sup>248</sup> One week later he complained of the ‘scorn and contempt’ shown to convicts by Queen’s pleasure men and expressed his disappointment that Broadmoor’s staff were also prejudiced towards convicts: ‘I was told before I came here that [...] Nicolson would treat all alike, well such a prediction is [...] untrue.’<sup>249</sup> On account of the ‘strong prejudice’ that existed in the asylum, Abraham Thompson wrote the ‘Broadmoor Prisoner’s Prayer’ [Figure 6]:

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<sup>243</sup> D/H14/D2/2/1/541/19, letter to the Council.

<sup>244</sup> D/H14/A1/1/1/1, Lunacy Commissioners’ Reports 1873 and 1874.

<sup>245</sup> Janet Saunders, ‘Magistrates and Madmen: Segregating the Criminally Insane in Late-Nineteenth Century Warwickshire’, in *Policing and Punishment in Nineteenth Century Britain*, ed. by Victor Bailey (London: Croom Helm, 1981), pp. 217-241 (p. 229).

<sup>246</sup> D/H14/D2/2/1/1058/48, letter to Orange.

<sup>247</sup> Ibid.

<sup>248</sup> D/H14/D2/2/1/1363, letter to the Council, 3 July 1883. This is filed under Heaps’s alias, Walter Arthurs, the name he gave upon his second admission to Broadmoor. For his first stint at Broadmoor, D/H14/D2/2/1/669.

<sup>249</sup> D/H14/D2/2/1/1363, letter to the Council, 11 July 1889.

Eternal God from heaven send  
Thy curses on this place  
Stretch forth thine hand omnipotent  
This Broadmoor-hell erase

The demon Orange Lord blot out  
His minions Lord destroy  
Blast with Thy all-devouring breath  
These imps of devilry

Confusion bring O heavenly King  
Black death and damp despair  
Unto their rotten hearts O Lord  
Thy Majesty declair [sic]

Let not Great God these men whom Thou  
Hast fashioned with Thine hand  
Be longer turned to vilest use  
Though say misfortunes brand

Tis Thou alone Jehovah who  
Canst pardon dark deed done  
And not contemptuous creeping curs  
With living tortuous tomb

Their swelling hearts with anguish burst  
Their wives and children mourn  
And bleed with horror at the thought  
When reason fled her throne

Rise Lord, in thy almighty power



Against this hellish band  
 O hear our prayers; declare Thy night;  
 Vouchsafe Thy saving hand  
 Amen.<sup>250</sup>

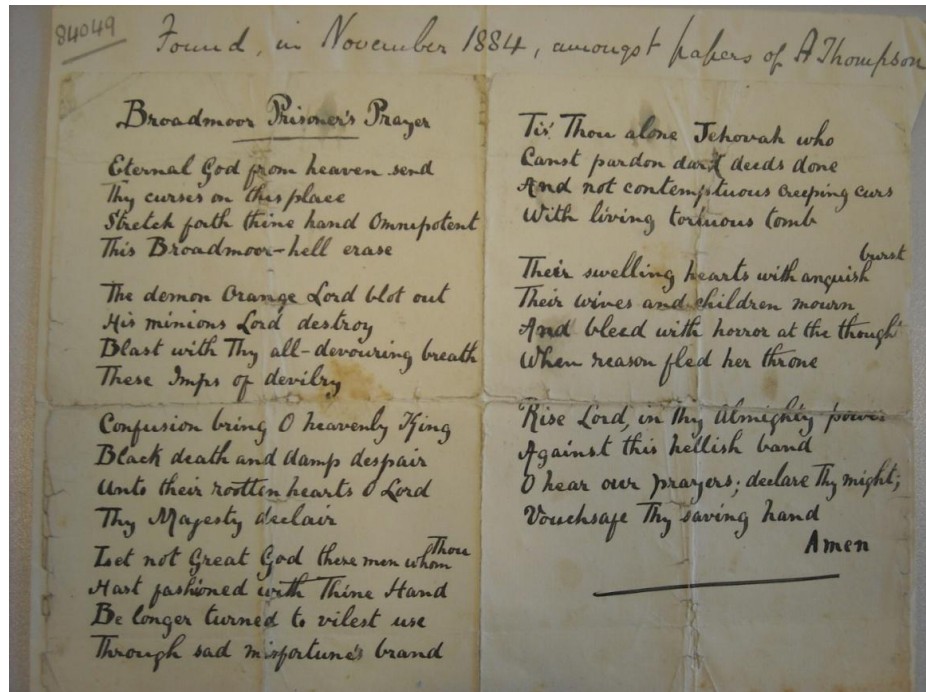


Figure 6. Broadmoor Prisoner's Prayer

### III. Family Roles and Male Friendships

In their study of Exminster asylum, Melling and Forsythe found 'intense anxiety' existed amongst the friends and family of pauper patients regarding their treatment in the asylum. A slightly different picture emerges from the Broadmoor records. The correspondence of poor families with the Superintendent suggests that not all members of the public feared the asylum, at least after they had come into contact with it. The vast number of letters inquiring into the mental and physical health of incarcerated relatives suggests that family members viewed Broadmoor as a place of recovery.<sup>251</sup> It was a place

<sup>250</sup> D/H14/D2/2/1/1699, Broadmoor Prisoner's Prayer.

<sup>251</sup> The wife and mother of Samuel Nelms sent many letters to Broadmoor inquiring whether he had mentally improved, D/H14/D2/2/1/1068/18-60.

where their son, husband or father would recover his senses thus leading to his discharge enabling him to resume his role as breadwinner, carer or confidant.<sup>252</sup>

An examination of letters sent to the Superintendent from some patients' wives suggests that the committal of their husbands to Broadmoor generated a fear of starvation and poverty, the same emotional (and practical) responses Julie-Marie Strange found sometimes followed the death of a breadwinner.<sup>253</sup> In some cases, even though men had murdered their child(ren) or had attempted to murder their wives, their spouse begged for their discharge because they feared destitution without them.<sup>254</sup> According to a medical report, the wife of paternal child-murderer Edward Abbot 'is very anxious that he should be discharged in order to support her and their surviving children.'<sup>255</sup> Other wives, perhaps unable to forgive their husbands for the miserable state they had left their families in, were seemingly happy to forget them. John Cooper's wife wrote to him:

I [...] trust you will never write to me again nor anyone else as it makes me ill from all the sorrow I have gone through [...] And ask God to forgive you as I have had a struggling time of it [these] last 25 years it has brought me down to a poor old woman and your children have quite forgot you and never think anything of you and no one never mentions your name.<sup>256</sup>

In some cases wives had no choice but to leave their incarcerated husbands; some obtained a divorce and others committed adultery.<sup>257</sup>

An examination of the letters received by patients and the Superintendents indicates that the desire exhibited by some patients to continue to care for their families,

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<sup>252</sup> William Griffith's father told Nicolson, 'I am his father and am getting old and if I could only obtain his liberty he would be of great assistance to me', D/H14/D2/2/1/1092/15. The case files also contain letters written to patients from their sons detailing their struggles in life. See, D/H14/D2/2/1/765/23, letter to John McQueeny.

<sup>253</sup> Julie-Marie Strange, *Death, Grief and Poverty in Britain, 1870-1914* (Cambridge: Cambridge University Press, 2005), p. 194.

<sup>254</sup> The wife of Henry Dodwell appealed to Queen Victoria for his release because she feared the workhouse. 'The Case of the Rev. H. Dodwell', *Sheffield & Northern Independent*, 24 March 1879, p. 3.

<sup>255</sup> D/H14/D2/2/1/799/4, letter to Orange. Also, D/H14/D2/2/1/830/8, letter to Orange.

<sup>256</sup> D/H14/D2/2/1/373/6, letter to Cooper.

<sup>257</sup> William Brown's wife gave birth to another child 'at a date when it was impossible that he could have been the father of it.' D/H14/D2/2/1/829, Brown's case file. John Ball's wife had four children whilst he was incarcerated, D/H14/D2/2/1/900/9, letter to Orange.

as discussed earlier, was shared by families towards their incarcerated loved ones. Some patients' children wrote to the Superintendent to inquire about the mental and physical condition of their fathers and expressed anxiety if there was any indication of ill health.<sup>258</sup> Others sought to provide comfort to their fathers; upon hearing his father was 'depressed' the son of Anthony Owston wrote him 'cheering' letters.<sup>259</sup> Patients' parents also assumed a role. Possibly to feel as though they were doing their parental duty, John Ball's 'anxious' parents asked Nicolson to move him to another ward for his comfort and asked if he could spend more time outside because 'he is very fond of gardening.'<sup>260</sup> Matthew Jackson Hunter's father wrote to Orange to check if he was eating properly, as did his brother.<sup>261</sup> Indeed, an examination of correspondence between brothers highlights the comfort and support they tried to provide one another.<sup>262</sup> It may be that sending such letters, alongside petitioning the Home Secretary for their relatives' release, travelling to Broadmoor to visit their loved ones, and continually checking up on their condition, all became a means of survival for patients' families.

Some patients had no contact with their families because they were illiterate.<sup>263</sup> In addition, some patients' families could not visit the asylum because the distance and the cost of travelling to Broadmoor were too great.<sup>264</sup> On occasions when families did visit Broadmoor exchanges between them and the patient sometimes turned abusive; it is

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<sup>258</sup> Many men wrote to the Superintendent expressing anxiety regarding their father's condition in the asylum. See various letters in the following case files: D/H14/D2/2/1/881, Joseph England; D/H14/D2/2/1/1085, Richard Hammett; D/H14/D2/2/1/905, Robert Hallowell.

<sup>259</sup> D/H14/D2/2/1/963/31, letter to Nicolson.

<sup>260</sup> D/H14/D2/2/1/900/4-5, letters to Nicolson.

<sup>261</sup> D/H14/D2/2/1/1116, letters to Orange, December 1882, January 1883 and March 1883.

<sup>262</sup> For example, D/H14/D2/2/1/605/5, letter to Nicolson; D/H14/D2/2/1/973/5, letter to Robert Thornley.

<sup>263</sup> See footnote 274 for an example of a literate patient writing a letter on behalf of an illiterate patient. Although in this instance the letter was to the Superintendent, it is plausible that the same practice may have occurred to communicate with a patient's family.

<sup>264</sup> Thomas Knapp's wife told Orange, 'it grieves me very much not to be able to come and see him, poor man, but having such a little family to provide for I find [...] the journey to [sic] expensive', D/H14/D2/2/1/969/8. The family of patient John Gee tried to have him transferred to a county asylum so they could visit him, D/H14/D2/2/1/1705, letter to Orange, 12 April 1886.

possible that a fear of acrimonious exchanges deterred potential visitors.<sup>265</sup> Patients with little contact with the outside world looked to the Superintendent, attendants and their fellow patients for support and companionship. The development and maintenance of survival networks was thus seemingly crucial for Broadmoor's patients, just as it was in ordinary asylums.<sup>266</sup>

Warmark, a patient in the 1920s, wrote that the Superintendent 'stands out in a tragic period of my life as the best friend I had.'<sup>267</sup> In the nineteenth century, some patients also appear to have relied upon the kindness and support offered to them by the Superintendent, and Orange and Nicolson feature most prominently in the letters of patients and their families in this regard.<sup>268</sup> An examination of some patients' letters to the Superintendent suggests that he assumed a paternal role; they asked for his advice and help in matters ranging from visiting their fellow patients, relations with their families and the acquisition of stamps.<sup>269</sup> Such a relationship between the Superintendent and patients mirrored that between master and pupil; a relationship that was encouraged and endorsed in middle-class literature and circles until the 1880s.<sup>270</sup> Some patients also formed close bonds with the attendants.<sup>271</sup> In 1864 John Sydney Philpot, a second-class attendant, formed such a close relationship with patient George Hage that he encouraged

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<sup>265</sup> Patients could receive visitors any day of the week except for Sunday. For an abusive exchange, see Joseph Cantrill's case, D/H14/D2/2/1/1256/14.

<sup>266</sup> Andrews and Digby, 'Introduction', *Sex and Seclusion*, ed. by Andrews and Digby, p. 16.

<sup>267</sup> Warmark, *Guilty but Insane*, p. 158

<sup>268</sup> For example, following his transfer to the Berkshire County Asylum, Robert Newport wrote to Orange that he 'cannot find words to express [...] [the] gratitude he owes [sic] [him] [...] for all past indulgences [...] which will never be forgotten.' D/H14/D2/2/1/729/5. Also, D/H14/D2/2/1/905/54, letter to Nicolson; D/H14/D2/2/1/975/52, letter to Orange; D/H14/D2/2/1/799/25-26, letters to Orange; D/H14/D2/2/1/1412, letter to Nicolson, August 1893.

<sup>269</sup> D/H14/D2/2/1/1069/13, letter to Nicolson; D/H14/D2/2/1/729/5, letter to Orange.

<sup>270</sup> Jeffrey Richards, "'Passing the Love of Women": Manly Love and Victorian Society', in *Manliness and Morality: Middle-Class Masculinity in Britain and America, 1800-1940*, ed. by J. A. Mangan and James Walvin (Manchester: Manchester University Press, 1987), pp. 92-122 (p. 100).

<sup>271</sup> Henry Dodwell wrote to attendant Bailey regarding personal matters, D/H14/D2/2/1/936a/192.

and assisted his escape from the asylum, and offered him advice on where he could find employment.<sup>272</sup>

As happened in other homo-social environments, some patients formed emotional bonds with one another.<sup>273</sup> They referred to each other as ‘friends’ and shared intimate thoughts and feelings.<sup>274</sup> Anthony Owston spent time talking to William Minor about ‘his soul’ and Henry Dodwell wrote letters to another patient detailing his grievances and describing his sadness.<sup>275</sup> For some patients, Broadmoor appears to have taken the place of the club or the public house as a place where they could talk to their fellow men about their families and lives, and within which they could share interests.<sup>276</sup> Broadmoor’s communal spaces were vital in this respect. The time patients spent at work or in the dayrooms (where they would play games, read books and newspapers) gave patients the opportunity to interact. After receiving no correspondence from his family, Philip Dawe presumed they had given up on him: ‘to them I am probably long sensed lapsed [sic] into too hopeless imbecility or insanity to maintain a correspondence.’ He asked Nicolson if he could visit another patient in a different part of the asylum, presumably after meeting him at work or in the chapel.<sup>277</sup> Before he was transferred back to prison, Henry Baldwin requested that his perishable items, including Vaseline, milk, cigars, cocoa, ham and

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<sup>272</sup> D/H14/A1/2/1/1, Minutes of the Council, 14 October 1864; Meyer, *Reports of the Superintendent* (1864), p. 2. Philpot was caught and tried at the Reading assizes where he was sentenced to one year’s imprisonment with hard labour. ‘Assize Intelligence’, *Bell’s Life in London and Sporting Chronicle*, 4 March 1865, p. 7. Attendants who misbehaved faced severe penalties, something the *Rules* (1869), paraphrasing the Broadmoor Act (1860), made clear: ‘Neglect or ill-treatment of a patient in by law specially punishable as a misdemeanour. Connivance at the escape of a patient is felony, and punishable by penal servitude or imprisonment. Any officer or servant who carelessly allows a patient to escape, may be fined any sum not exceeding 20l nor less than 2L (23 and 24 Vict, c. 75).’ p. 5.

<sup>273</sup> Tosh, *Manliness and Masculinities*, p. 37. The importance of patient bonds continued into the twentieth century. Barbara Taylor described how ‘the friendship of other patients [...] made my days tolerable.’ She observed that whilst asylums ‘had plenty wrong with them’ they ‘nurtured communities’ crucial for the wellbeing of patients. ‘The Demise of the Asylum’, pp. 213. 215.

<sup>274</sup> In 1891 John Cooper sent a letter to Brayn. Cooper was illiterate and so another patient wrote the letter for him and at the bottom noted ‘written for him by a friend’, D/H14/D2/2/1/373/5.

<sup>275</sup> D/H14/D2/2/1/1239/21, letter to Nicolson; D/H14/D2/2/1/963/5, note. Patients at the Retreat also took an interest in one another, Digby, *Madness*, p. 193.

<sup>276</sup> For camaraderie in nineteenth-century public houses and clubs, Stearns, *Be A Man!*, pp. 83. 115.

<sup>277</sup> D/H14/D2/2/1/1069/13, letter to Nicolson.

mustard, were given to patient Isaac Finch, thus suggesting the two had formed a close bond.<sup>278</sup> There are examples of camaraderie occurring in the asylum. Some patients looked out for one another and others bonded together to form sinister plans.<sup>279</sup> In 1864 a number of patients constructed an elaborate plan to liberate themselves; they diverted an attendant by asking him to fetch a piece of pie, put stones in a number of keyholes, and tied their handkerchiefs and neckerchiefs together to construct a rope to climb out of a window.<sup>280</sup> The plot was foiled at the last minute after Burt ‘saw the men descending outside one of the windows of the room where he was reading prayers’ and raised the alarm.<sup>281</sup>

Until the 1880s friendships between men were ‘enthusiastically endorsed’ by the ‘godliness and good learning’ brigade, which included men such as the novelist Thomas Hughes.<sup>282</sup> Under Meyer, Orange and Nicolson this also appears to have been the case at Broadmoor. Things appear to have changed in 1896 when Brayn succeeded as Superintendent. It was, as Ralph Partridge wrote, Brayn’s ‘policy [...] to regulate patients lives in every detail, allow them few opportunities to band together, discourage any feeling of common humanity between them and the staff, and confine them under the closest surveillance.’<sup>283</sup> Such a change in regime, as Chapter Two shows, was in part the result of Brayn’s previous experience of working with (sane) criminals in prisons, and partly because of rapidly increasing patient numbers at Broadmoor.

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<sup>278</sup> D/H14/D2/2/1/1445, list of perishable items.

<sup>279</sup> In 1889, three patients appealed to Nicolson to punish a patient who had played a practical joke on their friend, D/H14/D2/2/1/1239/21.

<sup>280</sup> Meyer, *Reports of the Superintendent* (1864), p. 4.

<sup>281</sup> Minutes of the Council, 16 December 1864.

<sup>282</sup> Richards, ‘Passing the Love of Women’, in *Manliness and Morality*, ed. by Mangan and Walvin, pp. 100. 104. Also, Oppenheim, *Shattered Nerves*, p. 146.

<sup>283</sup> Ralph Partridge, *Broadmoor: A History of Criminal Lunacy and its Problems* (London: Chatto & Windus, 1953), p. 91.

#### **IV. Conclusion**

This chapter has provided an overview of who resided and worked within Broadmoor's male division and how they interacted. It has highlighted the bad (feelings of discrimination, prejudice, abuse and violence) as well as the good (friendships and support). It has been suggested that some working-class men were so integral to their family's livelihoods that they endeavoured to continue to provide for their children whilst incarcerated, and when they could not fulfil this bread-winning role, their wives sometimes had no choice but to leave them. It was seemingly not just crucial for patients to feel as though they were still acting their part, but some patients' families also appear to have worked hard to continue their role in caring for their incarcerated family members. In some cases contact with the outside world may have been essential to a patient's survival, but when this was not possible patients sometimes turned to the other men in the asylum, patients and staff, for advice, support and friendship, particularly in the years preceding Brayn's succession to the role of Superintendent in 1896.

Broadmoor was an institution within which clear demarcations between normal and abnormal male behaviour were made. This is evident through an examination of reports made on patients by the Superintendent, attendants and medical officers. Ideal male behaviour, according to such reports, consisted of morality, industry, self-control, industry, temperance and rationality. It was not just the patients who were expected to exhibit such behaviour, and it was vital that the attendants learned to set a good example or they risked losing their jobs. An examination of patients' letters indicates that they too held specific ideas about what it meant to be a man. In addition, the emphasis working-class patients placed on industry and providing for their children whilst incarcerated suggests the importance of skill and employment to their identity. On the other hand, some middle-class patients, such as John Wendover, were seemingly more concerned

with retaining their independence and refused to work in the asylum on the basis that it was not their place to do so. It was not that such patients had an aversion to work; on the contrary, Wendover's letters suggest his pride at performing his 'duty' as an engineer in the Royal Navy. The evidence thus lends some support to Lee's argument that 'manly work' held different meanings for the working and middle classes in the nineteenth century.<sup>284</sup> By extension, this supports Tosh's assertion that 'masculinity was more than a social construction'; it was a 'subjective identity.'<sup>285</sup> For some men, this identity appears to have been attached to providing financially for their families and to being industrious and robust. For others, it was about character, stoicism and maintaining one's position in life, whatever the circumstances.

The following chapter examines how Broadmoor's male patients were built up into men. It also considers just how important the display of manly attributes was to a patient's discharge from the asylum.

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<sup>284</sup> Lee, *Masculinity and the English Working Class*, p. 16.

<sup>285</sup> Tosh, *Manliness and Masculinities*, p. 47.



## Chapter Two: Being Treated Like a Man at Broadmoor

In 1888 a friend of patient Timothy Grundy praised David Nicolson's (Superintendent 1886-1896) work at Broadmoor:

Your aim of curing and setting free all you consciously can is a Noble and God like one [...] just my idea of what all asylums ought to aim at [...] I shall be very glad when our prisons, workhouses and asylums are all carried on [these] lines, [you] have solved the problem of how to help and relieve [patients] without [...] destroying their self respect but raising them up to manhood [...] to be honest and upright.<sup>286</sup>

In this chapter the transformation of criminal lunatics into men is examined.

Historians have shown how asylum treatment was perceived by some contemporaries to inculcate womanly virtues such as silence and decorum into female patients.<sup>287</sup> Judith Knelman argues that Christiana Edmunds, a middle-class murderess who did not qualify under the McNaughton Rules but was committed to Broadmoor, was done so in order to be reformed.<sup>288</sup> Less attention has been paid to the moral treatment of men. Here, it is shown that whilst certain models of manliness were modelled and encouraged by Broadmoor's staff, as shown in Chapter One, not all patients had to display manly attributes before they were discharged. Moreover, this chapter takes a closer look at who treated Broadmoor's patients. In addition, it stakes a place for Broadmoor within the broader history of regimes of treatment in British asylums. It considers the implementation of moral treatment as a form of control and examines what impact psychiatric pessimism had on the asylum's regime.

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<sup>286</sup> D/H14/D2/2/1/186/21, letter to Nicolson.

<sup>287</sup> Anne Shepherd, 'The Female Patient Experience in Two Late-Nineteenth Century Surrey Asylums', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (New York: Rodopi, 2004), pp. 223-248; Elaine Showalter, *The Female Malady: Women, Madness and English Culture, 1830-1980* (New York: Virago Press, 1987).

<sup>288</sup> Judith Knelman, *Twisting the Wind: The Murderess and the English Press* (Toronto, Buffalo & London: Toronto University Press, 1999), p. 141.

## I. The Men in Charge

The Broadmoor Act (1860) empowered the Home Secretary to appoint a Council of Supervision, which he did in 1861. The Council superintended and managed the asylum and the care and treatment of patients, and any two of its members reported any matters concerning Broadmoor or its patients in writing to the Home Secretary. As a result, there was almost continual correspondence between Broadmoor and the Home Office.<sup>289</sup>

Under the Council reigned the Medical Superintendent whose job it was to ‘superintend the whole of the medical and moral treatment of the asylum.’ He controlled all other officers, attendants and servants ‘in everything pertaining to the maintenance, care, occupation, and amusement of the patients.’<sup>290</sup>

The first Superintendent of Broadmoor was John Meyer (Superintendent 1863-1870). Born in 1814 at Norwood, near London, Meyer studied medicine at Heidelberg and graduated in 1836. Soon after, he left England for Australia and in 1844 was appointed Superintendent of the Hospital and Convict Lunatic Asylum at New Norfolk, Tasmania.<sup>291</sup> During the Crimean War, Meyer was placed in charge of the Civil Hospital, Smyrna.<sup>292</sup> In 1858 he was appointed Chief Resident Physician at the Surrey County Asylum. In January 1862, the Council announced to the Home Office that it had unanimously chosen to appoint Meyer Broadmoor’s first Superintendent.<sup>293</sup> Meyer did not publish during his time at Broadmoor, thus making it difficult to understand his ethos,

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<sup>289</sup> D/H14/A1/2/4/1, Council of Supervision Correspondence. The original Council included the Right Honourable Sir William Hayter (Chairman), The Right Honourable William Hylton Jolliffe, Sir William Charles Hood, who was Bethlem’s Superintendent and physician, and Sir Joshua Jebb, Broadmoor’s architect. D/H14/A1/2/5/1, Correspondence from Whitehall, pp. 45-46.

<sup>290</sup> *Rules for the Guidance of the Officers of Broadmoor Criminal Lunatic Asylum* (London: George E. Eyre and William Spottiswoode, 1863), p. 3.

<sup>291</sup> NA, MH 51/4261e, letter to Jebb.

<sup>292</sup> ‘Obituary, John Meyer M.D’, *Journal of Mental Science* (July 1870), 811-812 (p. 811).

<sup>293</sup> Correspondence from Whitehall, 13 January 1862, p. 48.

but an examination of Home Office records and of Meyer's Annual Reports indicates that he did not believe an entirely different approach was needed for a criminal asylum and that he viewed Broadmoor, like any other asylum, as primarily a curative institution.<sup>294</sup>

Meyer's successor, William Orange (Superintendent 1870-1886), held a similar view. Orange studied at St Thomas's Hospital, London, and graduated in 1856. Upon leaving medical school, Orange toured Europe and became fluent in French, German and Italian. He returned to England, undertook some dispensary work, and spent three years as Assistant Medical Officer at Tooting before being appointed Deputy Medical Superintendent of Broadmoor in November 1862.<sup>295</sup> In 1868, Orange took the degree of M.D at Heidelberg and became a member of the Royal College of Physicians of London, of which he was elected Fellow in 1878. Having taken over at Broadmoor in 1870, Orange was instrumental in separating insane convicts and Queen's pleasure patients. This is discussed in Chapter Three.

Orange actively participated in medical debates. In 1877 he gave an Address at the Annual Meeting of the Reading branch of the British Medical Association where he discussed the 'unsatisfactory nature' of the law regarding criminal lunatics. Challenging the legal assumption that delusions were always present in cases of true insanity, Orange argued that 'there are certain forms, or rather stages, of insanity in which there are no delusions.'<sup>296</sup> He believed that medical witnesses in court must not be tied down 'by precise legal rules' and must be allowed 'to make a critical examination of the individual

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<sup>294</sup> Following Meyer's appointment the Council asked him to visit Broadmoor and write a report suggesting any alterations and changes he believed necessary for the completion and working of the asylum. Meyer fulfilled this request in March 1862, taking 'as my guide the generally accepted views on the care and treatment of persons of unsound mind.' NA, MH 51 49, Meyer's Report.

<sup>295</sup> Correspondence from Whitehall, 18 November 1862, p. 54.

<sup>296</sup> William Orange, 'An Address on the Present Relation of Insanity to the Criminal Law of England', *BMJ*, 13 October 1877, 509-511 (p. 510).

case, with the view to ascertaining whether [...] mental disease does or does not exist.<sup>297</sup>

In 1883-84 he was President of the Medico-Psychological Society of Great Britain and Ireland, and in his Presidential Address began by criticising the term ‘criminal lunatic’ on the grounds that it was a contradiction: one could not be both guilty of crime and a lunatic since the latter could not, by definition, be held criminally responsible.<sup>298</sup> He went on to discuss the history of provision and care for criminal lunatics, and reiterated his opinion on legal views of insanity.<sup>299</sup>

Many of Orange’s views were shared by his successor, Scotsman David Nicolson. Like a number of nineteenth-century alienists they both objected to the legal definition of madness, and wanted the law to recognise that insanity could assume many forms.<sup>300</sup> Moreover, and contrary to the M’Naughton Rules, they believed that individuals could be both insane and fully aware that the act they were planning to commit was wrong.<sup>301</sup> Such an opinion affected their treatment of patients at Broadmoor, as is discussed further in Chapter Six.

Before he was appointed Deputy Medical Superintendent of Broadmoor in 1876, Nicolson worked as a Medical Officer at Woking, Portland, Millbank and Portsmouth prisons. Nicolson viewed Broadmoor as an exciting opportunity to build upon what he had already discovered about criminals and he was hopeful that studying Broadmoor’s

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<sup>297</sup> Ibid., pp. 510. 511.

<sup>298</sup> William Orange, ‘Presidential Address, delivered at the Annual Meeting of the Medico-Psychological Association, held at the Royal College of Physicians, London, July 27<sup>th</sup>, 1883’, *Journal of Mental Science*, 29 (1883), 329-354 (pp. 330-331).

<sup>299</sup> Ibid., pp. 332-335. 350.

<sup>300</sup> Henry Maudsley considered the legal test of madness ‘faulty’ and ‘false’. See, ‘Criminal Responsibility in Relation to Insanity’, *Journal of Mental Science*, 41 (1895), 657-674 (p. 659).

<sup>301</sup> William Orange, ‘An Address on the Present Relation of Insanity to the Criminal Law of England’, *BMJ*, 20 October 1877, 553-554 (p. 553); David Nicolson, ‘The Measure of Individual and Social Responsibility in Criminal Cases’, *Journal of Mental Science*, 24 (April 1878), 1-25 (p. 9).

patients would help ‘prevent’ criminal lunacy and thus benefit society.<sup>302</sup> He believed that insanity and the subsequent criminal acts of Queen’s pleasure patients were not their fault; they were criminal because the community had failed them. Orange agreed with this; he believed that crime could be the result of both nature and nurture.<sup>303</sup> Both Orange and Nicolson wanted earlier action to prevent the insane from becoming criminals.

Whilst at Broadmoor, Nicolson served on several committees including the Home Office Department Committee on Habitual Drunkards and the Irish Government Committee of Inquiry into Dundrum Criminal Lunatic Asylum. In 1895 he was elected President of the Medico-Psychological Association and delivered an address on ‘Crime, Criminals, and Criminal Lunatics’ in which he derided criminal anthropology, something discussed in Chapter Three.<sup>304</sup> Nicolson retired from Broadmoor in 1896 after the Lord Chancellor, Lord Halsbury, appointed him one of his Visitors in Lunacy.<sup>305</sup> In 1913 his Address, ‘Mind and Motive: Some Notes on Criminal Lunacy’ was published in the *British Medical Journal*.<sup>306</sup> Here, he rejected outright the idea that crime was hereditary, condemning the theory as a ‘dangerous doctrine advanced by those so-called criminologists.’<sup>307</sup> Nicolson published profusely before, during and after his time at Broadmoor on issues such as crime, criminal insanity and feigned madness.<sup>308</sup> Some of

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<sup>302</sup> David Nicolson, ‘The Measure of Individual and Social Responsibility in Criminal Cases’, *Journal of Mental Science*, 24 (July 1878), 249-273 (p. 273).

<sup>303</sup> David Nicolson, ‘Presidential Address Delivered at the Fifty-Fourth Annual Meeting of the Medico-Psychological Association, Held in London, 25<sup>th</sup> and 26<sup>th</sup> July, 1895’, *Journal of Mental Science*, 41 (October 1895), 567-591 (pp. 577-578).

<sup>304</sup> James Crichton-Browne, ‘David Nicolson’, *Journal of Mental Science*, 79 (January 1933), 1-3 (p. 3); Nicolson, ‘Presidential Address’.

<sup>305</sup> ‘Obituary’, *BMJ*, 9 July 1932, 80-81.

<sup>306</sup> David Nicolson, ‘An Address on Mind and Motive: Some Notes on Criminal Lunacy’, *BMJ*, 13 September 1913, 641-645.

<sup>307</sup> *Ibid.*, p. 641.

<sup>308</sup> David Nicolson, ‘Some Observations on the State of Society, Past and Present, in Relation to Criminal Psychology’, *Journal of Mental Science*, 27 (October 1881), 359-370; ‘The Morbid Psychology of Criminals’, *Journal of Mental Science*, 20 (July 1874), 167-185; ‘Feigned Attempts at Suicide’, *Journal of Mental Science*, 17 (January 1872), 484-499.

his ideas are discussed throughout this thesis, with particular attention paid to his work in Chapter Three.

Nicolson was succeeded by Richard Brayn (Superintendent 1896-1910) who had previously been Assistant Surgeon to Portsmouth and Millbank Convict Prisons. In 1882 he was appointed Medical Officer at Woking Prison where he supervised insane convicts, and in 1889 he became Governor and Medical Officer of the female convict prison at Woking. Brayn was the first Superintendent of Broadmoor not to have previously been Deputy Superintendent of the asylum. Little can be learned about his ethos from his published work because, unlike Orange and Nicolson, he was not an extensive contributor to medical journals.<sup>309</sup> However, Brayn began his post as Superintendent at a time when Broadmoor faced severe overcrowding, and it is shown later in this chapter that this, alongside his prison experience, affected his regime significantly.

## **II. Moral Treatment and Broadmoor**

Following the Asylums Act (1845) all government-built asylums were based on models such as the York Retreat and Hanwell: they resembled large country houses with landscaped gardens, and had ornamental drives, parkland, farms, cricket fields and estate walls, and the airing courts attached to each block were designed so patients could view the vast landscape.<sup>310</sup> Moral treatment, under which patients were provided with amusements and employment and in which seclusion and restraints were limited or never used, was also implemented. An examination of Home Office records, Annual Reports and Lunacy Commissioners' reports, shows that the Lunacy Commissioners, Broadmoor's Superintendents and Council, all wished Broadmoor to operate and look

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<sup>309</sup> Brayn did publish 'A Brief Outline of the Arrangements for the Care and Supervision of the Criminal Insane in England during the Present Century', *Journal of Mental Science*, (1901), 250-260. This is simply a narrative account of historical provisions for criminal lunatics.

<sup>310</sup> For asylum landscaping, Sarah Rutherford, 'Landscapers for the Mind: English Asylum Designers, 1845-1914', *Garden History*, 33:1 (2005), 61-86.

like an ordinary county asylum.<sup>311</sup> Its patients were to be treated in the same way as other lunatics.

The site chosen for Broadmoor was the summit of a high ridge among the Berkshire pinewoods, less than a mile from the village of Crowthorne. Wellington College railway station was less than two miles away and many patients and their families used it in their journeys to and from Broadmoor. *The Times* described Broadmoor's agreeable architecture, its 'long, steep, and terraced slopes' and its gardens. In addition, it commented that Broadmoor was a 'series of distinct blocks of buildings, [which] are lofty and handsome [...] a warmer and more comfortable-looking structure was never erected in a more wild though beautiful situation.'<sup>312</sup> The *Illustrated London News* depicted Broadmoor in all its glory:<sup>313</sup>

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<sup>311</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1873* (London: George E. Eyre and William Spottiswoode, 1874), pp. 2-3. The notion that criminal and ordinary lunatics should be treated alike had long been recognised. In 1853 Lord St. Leonards argued in the House of Lords that 'if [criminal lunatics] [...] were unaccountable subjects, they ought to be treated in the same way as other lunatics.' HL Deb 18 February 1853, vol. 123, col 5-7.

<sup>312</sup> 'A Visit to the Criminal Lunatic Asylum', *The Times*, 13 January 1865, p. 10.

<sup>313</sup> 'The Broadmoor Criminal Lunatic Asylum', *Illustrated London News*, 24 August 1867, p. 208.



Figure 7. Broadmoor Criminal Lunatic Asylum

An ordnance survey map from 1881 [Figure 8] shows Broadmoor's vast country setting. The asylum's blocks are clearly visible and one can see the asylum farm located south-east of the main buildings, separated by countryside. Like most large county asylums Broadmoor was self-contained. A large central building contained accommodation and some services. In addition, there were a number of smaller accommodation blocks and a separate block for women.



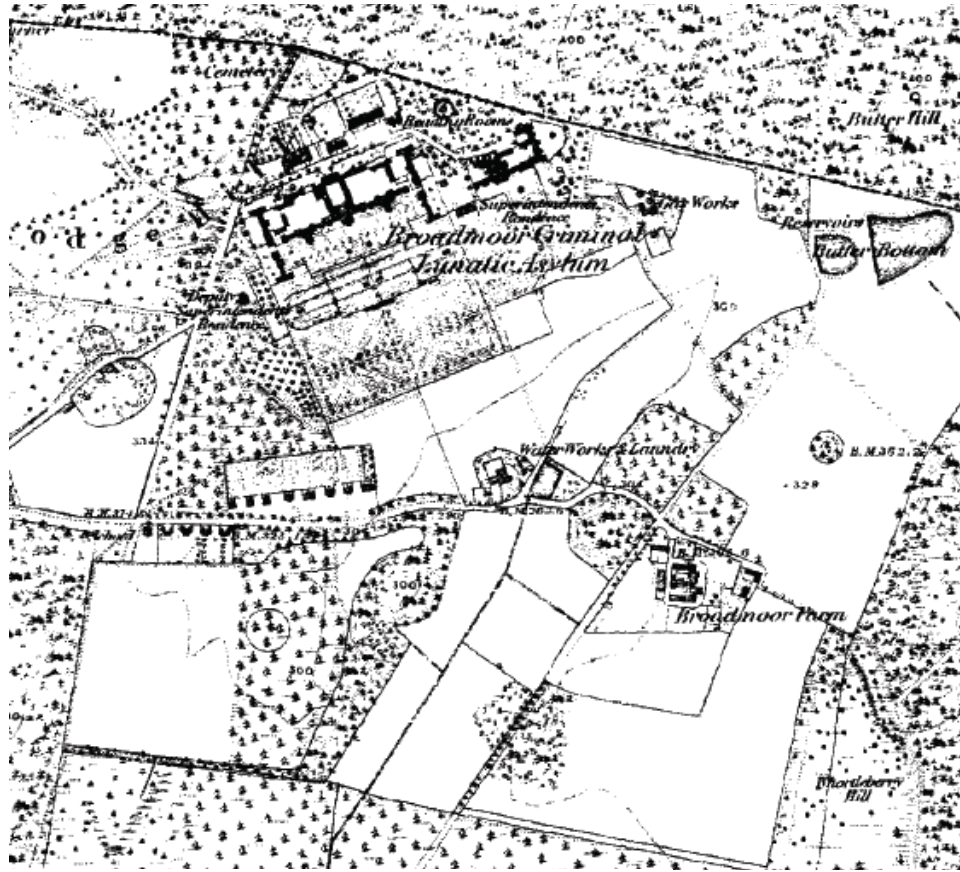


Figure 8. Ordnance Survey Map, 1881

Broadmoor's blocks were designed using the popular corridor plan and consisted of a series of long corridors with rooms opening off them.<sup>314</sup> Each block had a separate day-room for its patients which meant, in comparison to asylums such as Hanwell where the corridors doubled up as day-rooms, Broadmoor's patients had increased opportunities for a change of scenery and increased provisions for recreational activities and amusements.

<sup>314</sup> Joshua Jebb was Broadmoor's architect. See, Deborah Weiner, "‘This Coy and Secluded Dwelling’: Broadmoor Asylum for the Criminally Insane', in *Madness, Architecture and the Built Environment*, ed. by Leslie Topp, James E. Moran and Jonathan Andrews (New York and London: Routledge, 2007), pp. 131-148.

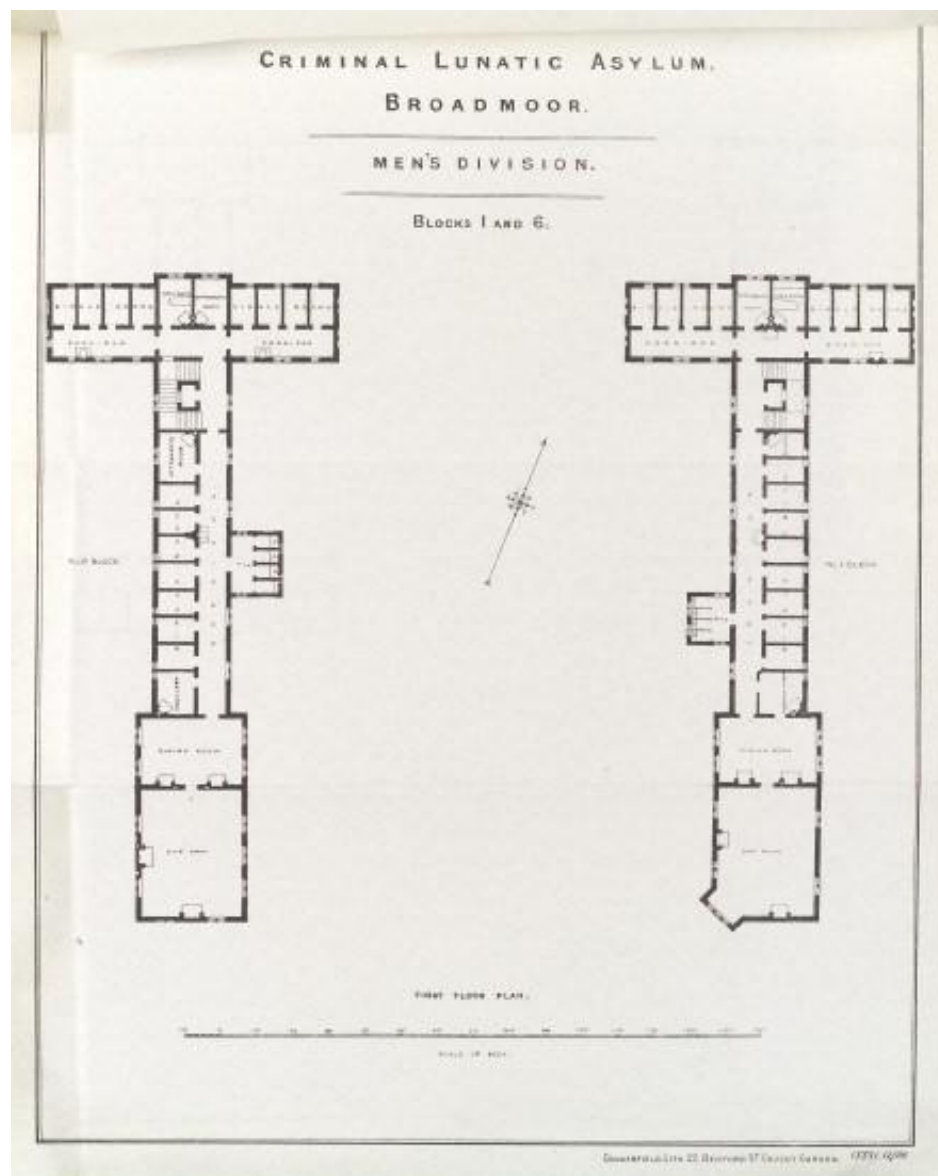


Figure 9. Men's Blocks 1 & 6<sup>315</sup>

On the northern side of the central building there were storerooms, a kitchen, coal yard and bakery. On the south side of the building were the terrace and the farm, and workshops were built for the male patients to the north of the asylum. The Superintendent's house was located in between the male and female division allowing him easy access to all blocks. In 1885 there were six blocks in addition to the central building, as represented by the following image.

<sup>315</sup> *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1885* (London: George E. Eyre and William Spottiswoode, 1886),

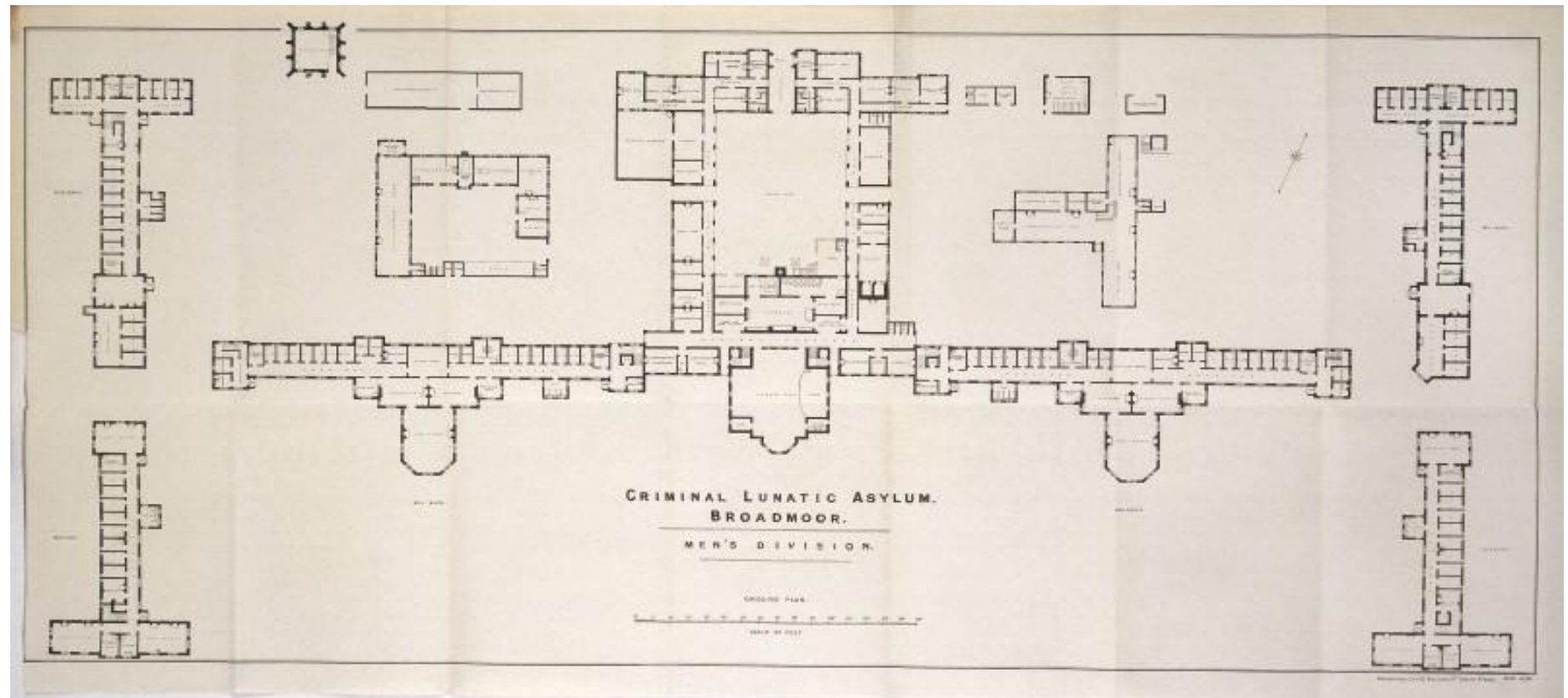


Figure 10. Men's Division<sup>316</sup>

<sup>316</sup> Ibid.

If appropriately designed an asylum's interior was deemed conducive to recovery.<sup>317</sup> In 1859 the Lunacy Commissioners declared that Broadmoor should 'have a general character of a hospital, and should be constructed as to have a cheerful aspect both within and without, and not to suggest the idea of custody or confinement.'<sup>318</sup> This challenges Simon Winchester's argument that Broadmoor 'looked and felt – and was meant to look and feel – like a prison.'<sup>319</sup> Moreover, an examination of Annual and Lunacy Commissioners' reports poses further challenges to his conclusion. Although it was the opposite of what was intended, some did claim to find the atmosphere too much like a prison. From the 1860s and into the 1890s, the Lunacy Commissioners complained about the asylum's interior: it was 'dull and gloomy' 'prison-like' and uninviting.<sup>320</sup> This was problematic and it was assumed that the male wards 'cannot fail to have a depressing [...] effect upon the minds of patients [...] and must no doubt tend to keep up and foster their dangerous propensities.' They recommended that surrounding patients with 'cheerful objects' (artwork and plants) would 'promote [...] mental improvement or recovery.'<sup>321</sup>

As in ordinary county asylums, occupational therapy, gentle amusements and religion were used to treat Broadmoor's patients.<sup>322</sup> Moral value was ascribed to work in

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<sup>317</sup> Andrew Scull, *Social Order/Mental Disorder: Anglo-American Psychiatry in Historical Perspective* (London: Routledge, 1989), p. 214; Weiner, 'This Coy and Secluded Dwelling', in *Madness, Architecture and the Built Environment*, ed. by Topp, Moran and Andrews, p. 140. Alienists put much thought into asylum location, design and décor. John Conolly, *The Construction and Government of Lunatic Asylums, and Hospitals for the Insane* (London: J. Churchill, 1847), pp. 26-44.

<sup>318</sup> NA, MH 51/49, Lunacy Commissioners' letter.

<sup>319</sup> Simon Winchester, *The Surgeon of Crowthorne: A Tale of Murder, Madness and the Oxford English Dictionary* (London: Penguin Books, 1999), p. 105.

<sup>320</sup> John Meyer, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1864* (London: George E. Eyre and William Spottiswoode, 1865), p. 5. The Council subsequently made plans to improve the building by providing a 'spacious cheerful day room' on each floor. D/H14/A1/1/1/1, Lunacy Commissioners' Report (1865).

<sup>321</sup> D/H14/A1/1/1/1, Lunacy Commissioners' Reports 1867 and 1889.

<sup>322</sup> Joseph Melling and Bill Forsythe, *The Politics of Madness: The State, Insanity and Society in England, 1846-1914* (London and New York: Routledge, 2006), p. 51.

asylums to relieve idleness and prevent patients dwelling on their condition.<sup>323</sup> A table from the Lunacy Commissioners' Report (1867) shows how Broadmoor's patients were employed.<sup>324</sup>

	Males	Females
In Garden or Farm	22	0
In the Wards	40	30
In the Laundries	9	10
In the Kitchen	4	2
In the Storeroom	1	0
Carrying Coal	16	0
Shoemakers	5	0
Upholsterers	3	0
Tailors	7	0
Carpenters	2	0
Bricklayer	1	0
Painter	1	0
Baker	1	0
Needle and Fancy Work	0	20
Laundry work	12	0
Total number employed	124	62

Table 2. The Employment of Patients

Scholars have shown that in an attempt to enforce conventional sex-roles the work undertaken by asylum patients in the nineteenth century tended to be gendered.<sup>325</sup> Table 2 indicates that work at Broadmoor was not exclusively gendered: both men and women worked in the asylum laundry and more men than women were employed in the kitchens. On the other hand, only male patients were permitted to work outside and needle and fancy work were exclusively female occupations. All male patients at Broadmoor, regardless of class, had to demonstrate a willingness to work. They were encouraged to work at their trade if they had one but if they did not then under the carpenter, shoemaker

<sup>323</sup> W. A. F. Browne, 'The Moral Treatment of the Insane: A Lecture', *Journal of Mental Science*, 20 (October 1864) 309-337 (p. 318).

<sup>324</sup> Lunacy Commissioners' Report (1867).

<sup>325</sup> Shepherd, 'The Female Patient Experience', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 240-241; Showalter, *Female Malady*, p. 82.

or tailor they could acquire a skill if they wished. An examination of the Broadmoor records lends some support to ‘the idea that the working-class man’s property lay in his skill, acquired by apprenticeship or training under his father’s eye, carried a load of moral worth’.<sup>326</sup> Broadmoor’s Superintendent, with the assistance of the chaplain, attendants and schoolmaster, assumed this paternal role, something discussed later in this chapter.<sup>327</sup> What a man did in his working life was a durable feature of nineteenth-century masculinity.<sup>328</sup> This can be seen at Broadmoor where industry, independence and the ability and willingness to financially provide for one’s family were all positively considered not only by some patients, as discussed in Chapter One, but by the medical officers and Superintendents; they are characteristics which feature heavily in medical reports to the Home Office in which a patient’s discharge was recommended.

The ideal Victorian man was active, not idle or introspective.<sup>329</sup> He was to allow time for pursuits such as music-making, reading and going for walks outside, and was encouraged to attend exhibitions and concerts; such activities were deemed to have an improving and diverting effect on his body and mind.<sup>330</sup> This was reflected at Broadmoor where amusements and recreational activities were provided for patients. The Council purchased books for the patients which Reverend Burt described as being ‘of great moral value; they afford mental occupation to a considerable number of all classes of patients, and both amuse and instruct them during many hours which, without this humane

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<sup>326</sup> Tosh, *Manliness and Masculinities*, pp. 36-37.

<sup>327</sup> For more on employment, John Meyer, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1866* (London: George E. Eyre and William Spottiswoode, 1867), p. 6; William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1870* (London: George E. Eyre and William Spottiswoode, 1871), p. 10.

<sup>328</sup> Tosh, *Manliness and Masculinities*, p. 37.

<sup>329</sup> Martin Danahay, *Gender at Work in Victorian Culture: Literature, Art and Masculinity* (Aldershot: Ashgate Publishing, 2005), p. 27.

<sup>330</sup> John Tosh, *A Man’s Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press), pp. 123-124.

provision, would be spent in weariness, in bitter reflection, or in angry discontent.<sup>331</sup>

Periodicals, newspapers and journals, including a brass band journal with sheet music, were also provided because according to Orange, they ‘are regarded as being necessary for the satisfactory treatment of the inmates.’<sup>332</sup> It is perhaps not a coincidence that Orange, an eager and avid attendee (and performer) of glees and opera, encouraged musical skill amongst the patients.<sup>333</sup> Patients were given singing classes and taught how to play musical instruments, and from the 1870s a number of patients joined the asylum band.<sup>334</sup> The band entertained patients, as did exhibitions of the magic lantern and theatrical performances. By 1871, parties averaging 160 men and 50 women were assembling in the recreation hall to enjoy theatrical, musical and other entertainments put on primarily by Broadmoor’s staff.<sup>335</sup> In 1898, the Treasury increased Broadmoor’s budget for entertainment and outside performers were employed.<sup>336</sup> Patients could also play croquet [Figure 11],<sup>337</sup> cards, chess, cribbage, backgammon and cricket. Recreation was deemed so vital for the care and well-being of the patients that in 1867 the female chapel was transformed into a room for this purpose.<sup>338</sup>

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<sup>331</sup> Burt, *Reports of the Superintendent and Chaplain* (1864), pp. 7-8.

<sup>332</sup> NA, A0/25/5, Queries 1878-1897.

<sup>333</sup> David Nicolson, ‘Obituary: William Orange’, *BMJ*, 13 January 1917, 67-69 (p. 68).

<sup>334</sup> The band was initially formed in 1864 from the ranks of the male attendants. By 1876, 17 members of the band were asylum patients. Meyer, *Reports of the Superintendent* (1864), p. 2; William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1876* (London: George E. Eyre and William Spottiswoode, 1877), p. 9.

<sup>335</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1871* (London: George E. Eyre and William Spottiswoode, 1872).

<sup>336</sup> D/H14/A2/1/1/13, Annual Report (1898), pp. 5-6.

<sup>337</sup> ‘The Criminal Lunatic Asylum at Broadmoor’, *Illustrated London News*, 7 September 1867, p. 271.

<sup>338</sup> John Meyer, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1867* (London: George E. Eyre and William Spottiswoode, 1868).



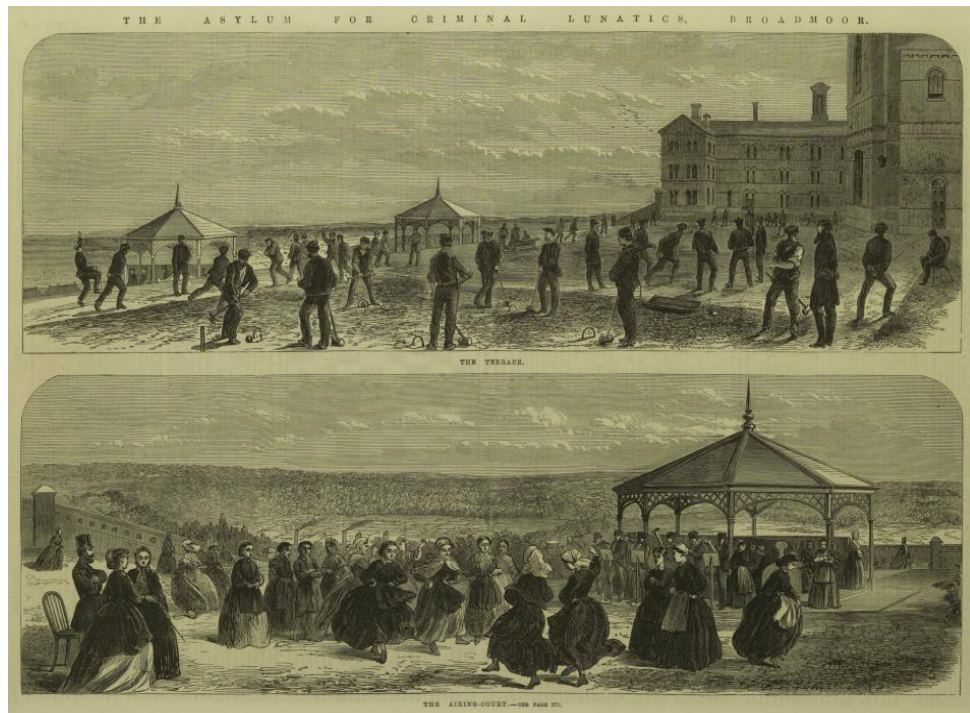


Figure 11. Male patients playing croquet and female patients dancing in the airing court, *Illustrated London News*

An examination of the Broadmoor records suggests that no single class dominated one activity, unlike in county asylums where middle-class patients dominated literary clubs.<sup>339</sup> Some middle and upper-class patients did provide their own amusements. George Smith wrote essays on political economy, Richard Dadd used a single room as an art studio in which he painted a *Portrait of Dr William Orange* (1875) and surgeon William Minor made a significant contribution to the *Oxford English Dictionary* whilst in confinement.<sup>340</sup>

Nineteenth-century alienists viewed religion as a potential cause of insanity, but also a part of the medical treatment for it. In her study of criminal lunatics in Ireland, Pauline Prior shows that religion was deemed to exacerbate madness, and debates erupted in newspapers and in the medical press regarding the impact of religious worship on

<sup>339</sup> Jonathan Andrews and Anne Digby, 'Introduction: Gender and Class in the Historiography of British and Irish Psychiatry', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 7-44 (p. 18).

<sup>340</sup> D/H14/A1/2/5/1, Correspondence from Whitehall, pp. 320-323; Nicholas Tromans, *Richard Dadd: The Artist and the Asylum* (London: Tate Publishing, 2011); Winchester, *The Surgeon of Crowthorne*.



asylum patients. In 1851 the *Northern Whig* stated that the insane were ‘utterly incapable of appreciating the teaching and practices of religion. Everybody knows that lunatics, when strongly seized with the religious idea, become often dangerously and hopelessly mad.’<sup>341</sup>

According to physician and member of the British Association for the Advancement of Science, J. Kellogg, however, religion was a crucial part of the process by which reason could be restored to a disordered mind: ‘Religion affords a means by which the beasts of appetite and passion may be subdued and chained [...] even slain; and most unwise is he who, in his vain self-sufficiency, rejects this most essential of all aids, religion.’<sup>342</sup> And W. A. F. Browne observed: ‘Worship is [...] in many [asylums], daily performed [...] the error that [the insane] were incapable of comprehending or joining in worship has been demonstrated; and in these assemblies children and maniacs are seen to bend the spirit and kneel side by side.’<sup>343</sup> And this was the view that prevailed at Broadmoor too. In March 1863, Burt was appointed chaplain.<sup>344</sup> He had previously worked at Hanwell under John Conolly, and was also the chaplain of Borough Prison, Birmingham, for seven years. The chaplain had to ‘perform the appointed services according to the rites of the Church of England, twice on every Sunday, and once every Christmas Day and Good Friday, and shall lead prayers on every other morning in the Chapel’. He also performed short services on weekdays in the wards or in the infirmary.<sup>345</sup> For patients who were not Church of England, a Roman Catholic chaplain visited the asylum.<sup>346</sup> By 1897, a small chapel for the Roman Catholic services had been

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<sup>341</sup> Pauline Prior, *Madness and Murder: Gender, Crime and Mental Disorder in Nineteenth-Century Ireland* (Dublin & Portland, OR: Irish Academic Press, 2008), p. 36.

<sup>342</sup> J. Kellogg, *Man The Masterpiece. Or, Plain Truths Plainly Told, About Boyhood, Youth, and Manhood* (London: International Tract Society, 1894), p. 143.

<sup>343</sup> Browne, ‘Moral Treatment’, p. 331.

<sup>344</sup> D/H14/A1/2/4/1, letter to the HO.

<sup>345</sup> *Rules* (1863), p. 9.

<sup>346</sup> Minutes of the Council, 30 August 1871.

provided through the adaption of a disused room and there were weekly Roman Catholic and Wesleyan services.<sup>347</sup> A Rabbi also visited the asylum.<sup>348</sup> Figure 12 shows the religious diversity that existed amongst Broadmoor's patients. The layout of the admission registers means it is only possible to ascertain patients' religious persuasions from 1868.<sup>349</sup> Nevertheless, most of Broadmoor's patients were Church of England.<sup>350</sup>

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<sup>347</sup> D/H14/A2/1/1/13, Lunacy Commissioners' Report (1897), pp. 10-11.

<sup>348</sup> D/H14/A1/1/1/1, Lunacy Commissioners' Report (1873).

<sup>349</sup> Between 1868 and 1871 only some religious beliefs were recorded because both registers included these dates but religion was not recorded in the first register.

<sup>350</sup> D/H14/D1/1/1/1, Admissions Register, 1863-1871; D/H14/D1/1/1/2, Admissions Register, 1868-1900. The majority of denominations listed were Protestant, but Protestant was also listed. It may be that this was a general term for dissenters/non-conformists whose particular affiliation was not known. The 'Other' category included peculiar people, foreigner, Rosicrucian, Quaker, Green, Parsee, Moravian, Episcopalian, Bible Christian, Independent, Calvinist, Primitive Methodist, Protestant Dissenter, Unitarian, Congregationalist, Ranter, Calvinistic Methodist, Wesleyan Methodist, Lutheran, Swedish Church, and None.

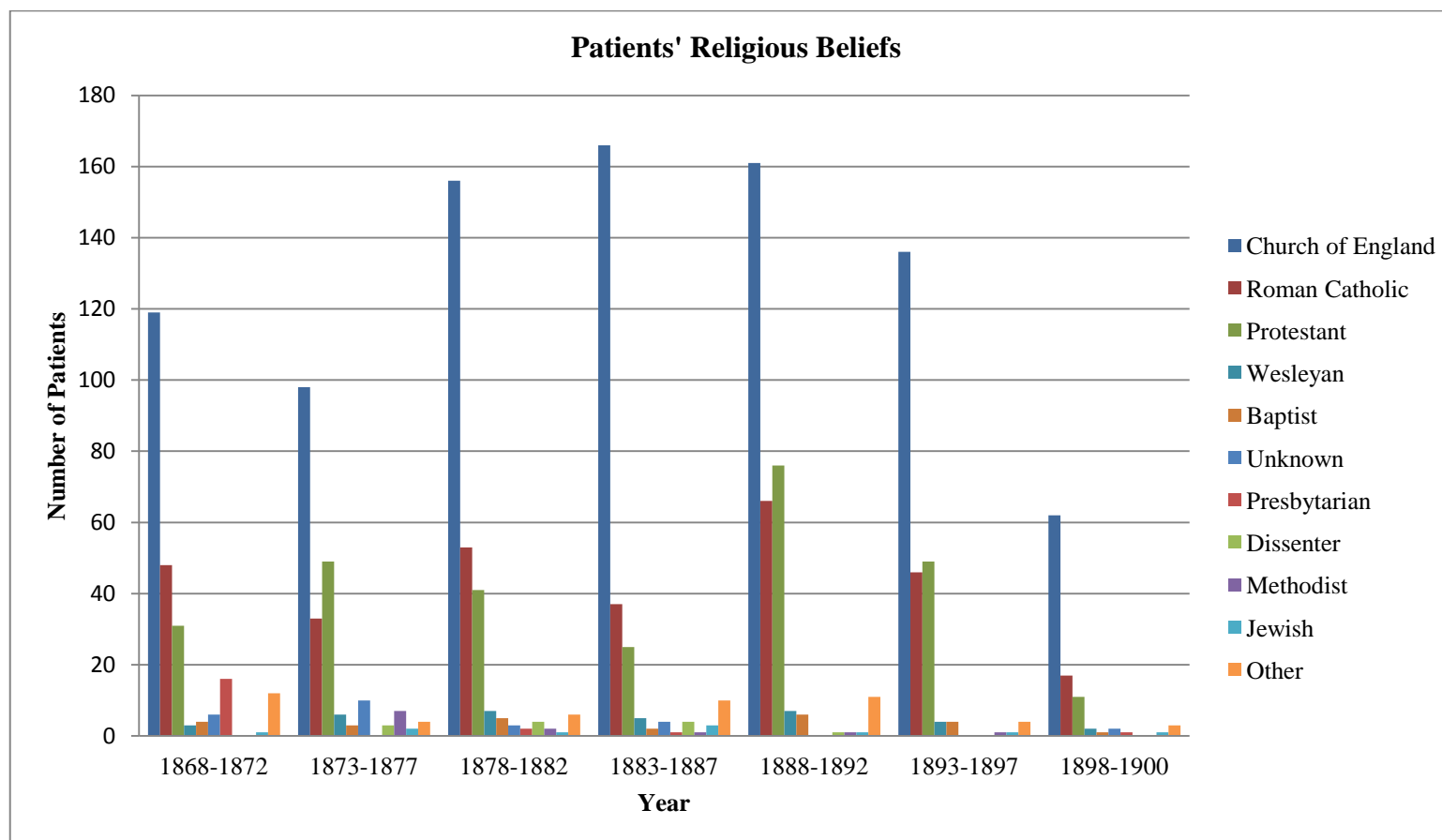


Figure 12. Patients' Religious Beliefs upon Admission to Broadmoor

Regardless of a patient's religious persuasion, religion was an important aspect of treatment at Broadmoor and patients attended Sunday services alongside Broadmoor's staff and their families. Unlike at asylums such as Hanwell, however, attendance at religious services was not compulsory.<sup>351</sup> This meant that a lower proportion of patients attended chapel than at other asylums. Those patients who did attend, however, reportedly did so with intelligence and gusto: in 1865 Burt reported the 'Canticles and Psalms are chanted and the responses and hymns are sung by the congregation with much heartiness.'<sup>352</sup> Based on his observations of female patients, Burt recorded that there was 'evidence that even criminal lunatics are susceptible to religious impressions.'<sup>353</sup> But not all patients, particularly the violent male patients, were susceptible to religious teaching.<sup>354</sup>

In 1869, Burt wrote to the Council: 'I respectfully submit that with the demoralisation prevalent in this asylum, there is a danger of desecrating sacred service if disorderly patients should be admitted to the Chapel as part of medical treatment.'<sup>355</sup> His concerns were seemingly legitimate. Some patients stopped going to the chapel because they felt the behaviour of others was 'destroying the comfort and beauty of the service.'<sup>356</sup> More seriously, in March 1866 Meyer was attacked by patient John Hughes during a service, leaving him badly hurt.<sup>357</sup> Afterwards, Meyer noted in the

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<sup>351</sup> John Conolly, *The Treatment of the Insane Without Mechanical Restraints* (London: Smith, Elder, 1856), pp. 172-173.

<sup>352</sup> Rev. Burt, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1865* (London: George E. Eyre and William Spottiswoode, 1866), pp. 8-9.

<sup>353</sup> Burt, *Reports of the Superintendent and Chaplain* (1864), p. 8.

<sup>354</sup> Ibid.

<sup>355</sup> Minutes of the Council, 4 June 1869.

<sup>356</sup> D/H/14/D2/2/1/754/20, letter to Nicolson.

<sup>357</sup> Council of Supervision Correspondence, 27 March 1866.

Superintendent's Journal, 'it is a mercy that I am here to write this account of the occurrence.'<sup>358</sup>

The secular teaching of patients was also important and Burt superintended a schoolmaster, Mr Thomas, who in addition to helping Burt with the library and leading the asylum band, led classes for the patients in reading and writing.<sup>359</sup> Burt believed that

The habit of submitting to the discipline of a class [...] tends to foster a power of self control [...] for a time at least the patient is withdrawn from brooding over his sorrows or his delusions, and what he has of mind is diverted from preying upon itself. Such instruction [...] is a means of nurturing the last remains of reason.<sup>360</sup>

To Burt's 'regret' however, Broadmoor's patients were difficult to teach. In 1874, owing to the difficulty of teaching some of the male patients collectively, the refusal of patients to participate in classes, and an increase in the numbers of insane convicts, Burt announced the end of collective learning at Broadmoor, thus indicating the limitations of moral treatment in treating criminal lunatics.<sup>361</sup>

Harking back to the views of early nineteenth-century alienists and asylum physicians, the Lunacy Commissioners' condemned the use of restraint and seclusion at Broadmoor because they believed it had a detrimental effect on patients' minds.<sup>362</sup> The

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<sup>358</sup> D/H14/A2/1/3/1, Superintendent's Journal. Also, Meyer, *Reports of the Superintendent* (1866), p. 10.

<sup>359</sup> Orange, *Reports of the Superintendent* (1870).

<sup>360</sup> Burt, *Reports of the Chaplain* (1865), p. 8.

<sup>361</sup> Rev. Burt, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1874* (London: George E. Eyre and William Spottiswoode, 1875), p. 12. For unfavourable reports on the lessons, Burt, *Reports of the Superintendent and Chaplain* (1867), p. 9; Rev Burt, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1872* (London: George E. Eyre and William Spottiswoode, 1873), p. 14. The position of schoolmaster was abolished in 1878 and the asylum band placed under the management of an attendant. Rev. Burt, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1878* (London: George E. Eyre and William Spottiswoode, 1879), p. 7.

<sup>362</sup> Robert Gardiner Hill of the Lincoln Asylum adopted a system of non-restraint because he believed it helped restore patients' minds. *A Concise History of the Entire Abolition of Mechanical Restraint in the Treatment of the Insane; and of the Introduction, Success, and Final Triumph of the Non-Restraint System: Together with a Reprint of a Lecture Delivered on the Subject in the Year 1838; and Appendices, Containing an Account of the Controversies and Claims Connected Therewith* (London: Longman, Brown, Green, and Longmans, 1857), p. 11. Hill's approach was adopted by Dr T. O. Prichard of the Northampton Asylum and then by John Conolly of Hanwell. Conolly believed that a system of kindness, encouraged and comforted patients, and repressed violent tendencies. J. Clark, *A Memoir of John Conolly, M.D., D.C.L.*,

success of moral treatment and non-restraint was, according to moral managers such as John Conolly, dependent upon the character and behaviour of the attendants.<sup>363</sup> In his *Progressive Changes* (1854) Daniel Hack Tuke quoted Esquirol: ‘To truly benefit the lunatic, one must love him and devote oneself to him’ and emphasised the importance of employing moral and humane attendants.<sup>364</sup> This was echoed at Broadmoor where *The Rules* (1869) stated the importance of staff through the adoption of the language and approach of earlier advocates of moral treatment:

Kindness and forbearance are the first principles in the care and management of persons of unsound mind; few such persons are beyond their influence. The mischievous will become somewhat less troublesome, the dirty less careless, the irritable and the violent often render most essential service to the Attendants who treat them firmly, justly, kindly.<sup>365</sup>

Burt drew upon his ‘observations at the Hanwell Asylum that the moral and religious improvement of lunatics is to be aimed at [...] by the unceasing influence of the attendants.’<sup>366</sup> Burt’s interest in both patients and staff, the latter examined in Chapter One, highlights the dual moralising mission he saw himself involved in.

Much attention has been paid to the question of who taught men about manliness. Scholars have pointed towards the public school and the importance of parents, with particular emphasis placed on ‘moral motherhood’.<sup>367</sup> Analyses of the domestication of insanity have sometimes focussed on the asylum’s staff as a surrogate family: the Superintendent being a surrogate father and the attendants brothers to the patients.<sup>368</sup> It is shown in Chapter One that some of Broadmoor’s patients considered the Superintendent

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*Comprising a Sketch of the Treatment of the Insane in Europe and America* (London: John Murray, 1869), pp. 20. 26-28. Also, Conolly, *Treatment*, p. 18.

<sup>363</sup> Clark, *Memoir*, p. 35.

<sup>364</sup> Daniel Hack Tuke, *The Progressive Changes Which Have Taken Place Since the Time of Pinel in the Moral Management of the Insane and the Various Contrivances Which Have Been Adopted Instead of Mechanical Restraint* (London: John Churchill, 1854), pp. 100-101.

<sup>365</sup> *Rules for the Guidance of Officers, Attendants, and Servants of Broadmoor Criminal Lunatic Asylum* (London: Ford and Tilt, 1869), p. 3.

<sup>366</sup> Meyer, *Reports of the Superintendent* (1864), p. 9.

<sup>367</sup> Tosh, *Manliness and Masculinities*, p. 48

<sup>368</sup> Showalter, *Female Malady*, p. 28.

(Meyer, Orange and Nicolson) to be a friend and a father. Along with the chaplain and schoolmaster, it was the Superintendent's job to inculcate in male patients industriousness, morality, and self-government, just as it was a father's job to 'train up his sons to carry themselves like men in the world [...] to carry a proper manliness of bearing and character.'<sup>369</sup> The Superintendent rewarded patients when they behaved and acted in a proper manner (in the form of extra food, monetary payment or complementary medical reports) and punished them when they did not, either through seclusion or the refusal to recommend his discharge to the Home Secretary. This idea of rewards and punishments was linked by contemporaries to the notion that the asylum resembled a nursery. In his Address to the British Medical Association in 1877, Orange declared, 'The discipline of the insane in an asylum, so far as the question of rewards and punishments is concerned, is very much like the discipline of the nursery.'<sup>370</sup> Comparisons between children and the insane were popular during the nineteenth century. It was presumed by some alienists that a male patient's behaviour, attitudes and physiognomy were on par with a child's.<sup>371</sup> In Broadmoor some patients were described as being 'childish' or 'childlike', as also happened in ordinary asylums.<sup>372</sup> The paternal role of the Superintendent abated with the onset of psychiatric pessimism and increasing numbers of patients. This occurred at Broadmoor in 1896 when Brayn succeeded as Superintendent; he seemingly considered himself to be a custodian rather than a friend or father.

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<sup>369</sup> Tosh, *Man's Place*, p. 136.

<sup>370</sup> Orange, 'An Address on the Present Relation of Insanity to the Criminal Law of England', p. 511. Broadmoor's medical officer, Reginald Noott, made a similar remark in 'The Responsibility of the Insane; Should They Be Punished? A Reply to Dr Mercier', *Journal of Mental Science*, 45 (January 1899), 53-66 (p. 61).

<sup>371</sup> George Henry Savage, *Insanity and Allied Neurosis: Practical and Clinical* (London: Cassell and Company Ltd., 1884), p. 28; L. F. Winslow, *Mad Humanity: Its Forms Apparent and Obscure* (London: C. A. Pearson, Ltd., 1898), pp. 65-66.

<sup>372</sup> For example, D/H14/D2/2/1/987/21, medical report; Anne Digby, *Madness, Morality and Medicine: A Study of the York Retreat 1796-1914* (Cambridge: Cambridge University Press, 1985), p. 60.

The agenda of moral managers has been the cause of debate. In their examinations of the class make-up of asylum patients and of the admission and discharge of patients from asylums, historians have convincingly questioned the assertions of Michel Foucault and Andrew Scull who previously argued that asylums were receptacles for the confinement of social outcasts.<sup>373</sup> In light of the way patients were committed to Broadmoor (through the courtroom or from prison as criminal lunatics) it might be considered obvious that they were incarcerated because they were considered social pariahs. The very fact that he was considered both criminal and insane may suggest, as Harvey Gordon writes, that the Broadmoor patient was ‘doubly stigmatised as the psychiatric leper of society’ and thus should be hidden from view.<sup>374</sup> Yet contemporaries, including Orange, did not consider Broadmoor’s (Queen’s pleasure) patients to be criminals; they were simply insane. Moreover, an examination of discharges from the asylum questions the extent to which Broadmoor may be considered an institution of control. Scull writes that ‘moral treatment actively sought to *transform* the lunatic, to remodel him into something approximating the bourgeois ideal of the rational individual.’<sup>375</sup> This was, to some extent, the case at Broadmoor where, as has been shown, industry, self control and rationality were actively promoted and patients of all classes were encouraged to read a variety of literature and enjoy theatrical and musical entertainments. Even laymen viewed the asylum as an establishment in which patients were raised up to manhood. Yet whilst patients were theoretically ineligible for release until they had demonstrated manly attributes, an examination of case files and the

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<sup>373</sup> Melling and Forsythe, *Politics*, p. 147-150. Michel Foucault, *History of Madness*, trans. by John Murphy and Jean Khalifa (London and New York: Routledge, 2006). In his *Museums of Madness: The Social Organization of Insanity in Nineteenth-Century England* (London: Penguin, 1982), Scull argued that as a result of industrialisation there were increasing numbers of social casualties. He argued that it was the job of the asylum to absorb people who failed to function within the new market environment and to remodel their behaviour based around bourgeois norms. Scull extended his analysis in *The Most Solitary of Afflictions: Madness and Society in Britain, 1700-1900* (New Haven: Yale University Press, 1993).

<sup>374</sup> Harvey Gordon, *Broadmoor* (London: Psychology News Press, 2012), p. 8.

<sup>375</sup> Scull, *Social Order/Mental Disorder*, p. 89.



admission registers suggests that this was not always the case. Of course, there were patients who were refused liberation because they were deemed either a threat or a potential nuisance to society, but some patients were discharged even though they were considered unindustrious and mentally defective.<sup>376</sup> This thus questions the extent to which occupational therapy 'acted as a means of providing for socio-economic needs' and the degree to which 'Recovery was [...] defined as having taken place when [...] patients could fend for themselves in the labour market.'<sup>377</sup> Moreover, it is shown in Chapter Four that even though there was the possibility that some patients might relapse into insanity and re-offend they were still released.

The extent to which moral treatment was coercive and controlling depends on the extent to which patients conformed and the extent to which it was successful. At Broadmoor, patients were not forced to attend religious services, schooling was abandoned, and the nature of patients meant that outdoor employment was risky (a number of them escaped whilst working the open fields).<sup>378</sup> Furthermore, patients were not forced to work. Foucault described asylum employment as

a constraining power superior to all forms of physical coercion, in that the regularity of the hours, the requirements of attention, the obligation to produce a result detach the sufferer from a liberty of mind [...] and engage him in a system of responsibilities.<sup>379</sup>

Anne Digby argues that the extent to which asylum employment was harmful is questionable.<sup>380</sup> Indeed, in order to decide whether asylum employment was coercive, it is necessary to consider first, the extent to which patients actually worked and second,

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<sup>376</sup> Jesse Oakely was released even though he was feeble-minded and 'naturally [...] defective.' D/H14/D2/2/1/227/17, medical report.

<sup>377</sup> Andrews and Digby, 'Introduction', in *Sex and Seclusion*, ed. by Andrews and Digby, p. 29.

<sup>378</sup> In 1873, Orange observed that whilst the employment of patients was generally successful at Broadmoor, 'the adoption of such employment in open fields and the resemblance in the general plan and construction which exists between this asylum and a county asylum are necessarily attended with a certain amount of risk of the occurrence of escapes.' *Reports of the Superintendent* (1873), p. 4. To reduce the risk of escape and to increase the numbers of patients able to work outside, in 1892 a 16-foot boundary wall was built around one of the gardens. D/H14/A2/1/1/12, Lunacy Commissioners' Report, p. 11.

<sup>379</sup> Foucault, *History of Madness*, p. 485.

<sup>380</sup> Digby, *Madness*, p. 63.

patients' feelings on employment. Some of Broadmoor's patients were reluctant to work and others were deemed unsuitable. In his report for 1867, Meyer detailed the difficulties of getting criminal lunatics to work. First, some patients could not be trusted to work, either on account of their mental condition or because of their past behaviour.<sup>381</sup> Second, although some patients were happy to work because it meant they could send money home to their families, others refused. Charles Lanham, for instance, told an attendant he was 'not inclined to be industrious' because 'he could not make a fortune out of hard work.'<sup>382</sup>

Whilst the spatial arrangement of an asylum was considered essential in the rehabilitation of the insane and the physical structure and setting of the asylum were crucial, patients could not be forced to enjoy their surroundings. In 1890, four attendants carried patient Samuel Knight out onto the terrace after he refused to go outside. Knight did not take kindly to this and was reportedly 'very violent and kicked and struck at the att[endants] and tried [sic] to bite [them].' He threw a boot at an attendant and walked back to the block.<sup>383</sup> Additionally, substandard building work meant that Broadmoor was not fit for the purpose for which it was initially built. In the 1850s, alienist John Charles Bucknill had warned that if all criminal lunatics were placed in the same establishment 'the difficulties of classification and management, which have been felt in some asylums, will only be removed from one place to another.'<sup>384</sup> And this is what happened. Orange complained: 'In the original construction of the asylum it is understood that one of the intentions in adopting the block system was to enable classification to be made, but the

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<sup>381</sup> Meyer, *Reports of the Superintendent* (1867), p. 6.

<sup>382</sup> D/H14/D2/2/1/836/4, description of Charles Lanham. Joseph England stopped doing ward work after a patient called him a 'dangerous scoundrel', D/H14/D2/2/1/1496, England's case file. Ernest Travers refused to work because he felt 'he was not compelled to make himself sweat to the extent he says he did', D/H14/D2/2/1/1738, Travers's case file. Timothy Grundy also refused to work, D/H14/D2/2/1/186/22, letter to Brayn.

<sup>383</sup> D/H14/D2/2/1/877/29, letter to Nicolson.

<sup>384</sup> John Charles Bucknill, *An Inquiry into the Proper Classification and Treatment of Criminal Lunatics: A Letter Addressed to Samuel Trehawke Kekewich* (London: John Churchill, 1852), p. 9.

blocks, as at the present existing, do not admit of this being effectually done.’<sup>385</sup> One reason for this was the admission of insane convicts, a group of patients transferred to Broadmoor from prison whilst undergoing a term of penal servitude. Convicts and Queen’s pleasure patients were housed together until 1888.<sup>386</sup> This meant that the classification and separation of male patients in some blocks was initially impossible and there was extreme discomfort and rowdiness in some of the male wards.

### **III. Psychiatric Pessimism and Broadmoor**

Historians of psychiatry have emphasised the shift that occurred from psychological to biological models of insanity in the late nineteenth century. They tend to agree that in the 1860s and 1870s the optimism that accompanied the growth and development of moral management and its promise of a cure for insanity abated, primarily because patient numbers increased.<sup>387</sup> This increase was attributed by contemporaries to the long-stay and chronic patients, and by some historians to the expanding categorisation of mental disease.<sup>388</sup> It has hitherto been taken for granted that all asylums reflected this change, and historians tend to write in general terms when describing late-nineteenth century psychiatric pessimism. Scull, for instance, writes that it was this ‘spectre of chronicity, this horde of the hopeless, which was to haunt the popular imagination, to constitute the public identity of asylums, and to dominate Victorian

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<sup>385</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1875* (London: George E. Eyre and William Spottiswoode, 1876), p. 5. There were also problems in the female division. See, D/H14/A2/1/6/1, Minutes of the Council, 3 September 1863.

<sup>386</sup> David Nicolson, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1888* (London: George E. Eyre and William Spottiswoode, 1889), pp 8-10.

<sup>387</sup> Steven Cherry, *Mental Health Care in Modern England: The Norfolk Lunatic Asylum/St Andrews Hospital 1810-1998* (Woodbridge: Boydell Press, 2003); Melling and Forsythe, *Politics*, pp. 46-47.

<sup>388</sup> Edward Shorter, *A History of Psychiatry: From the Era of the Asylum to the Age of Prozac* (New York and Chichester: John Wiley & Sons, 1997), p. 33.

psychiatric theorizing and practice.’<sup>389</sup> But Broadmoor does not sit neatly within this framework.

Nicholas Tromans writes that ‘Broadmoor avoided the worst of this downswing of the great manic-depressive cycle of Victorian psychiatry.’<sup>390</sup> My own examination of Home Office records and the Broadmoor archive suggests that whilst Broadmoor was not immediately affected by broader changes in psychiatry it did eventually succumb; albeit thirty years after historians usually suggest psychiatric pessimism took hold. During the 1870s and 1880s, both decades in which county asylums were deemed seemingly fit to burst and when hereditarian ideas of madness, degeneration and incurability were proposed by alienists, both Meyer and Orange firmly believed that Broadmoor was a curative institution and that its patients should (and could) be treated with kindness and patience. Orange declared, ‘it cannot be lost sight of that one object with which [patients] have been sent to this asylum, is that they might receive such treatment as may be calculated to promote the recovery of their mental health.’<sup>391</sup> But with each subsequent Superintendent came a new ethos, and with each year, increasing numbers of patients.

Things quietly began to change in the mid 1880s when Nicolson took over. Late nineteenth-century alienists, including Henry Maudsley, tended to believe that insanity was inherited and often incurable. This belief contributed to the presumed need for the re-introduction of restraint and seclusion in asylums.<sup>392</sup> Although a colleague of Maudsley and supportive of his ideas generally, Nicolson’s publications suggest that he did not necessarily support the assumption that insanity was inevitable and terminal.<sup>393</sup> In 1874 he

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<sup>389</sup> Scull, *Solitary*, p. 272.

<sup>390</sup> Tromans, *Richard Dadd*, p. 172.

<sup>391</sup> Orange, *Reports of the Superintendent* (1873), p. 8.

<sup>392</sup> For restraint and seclusion, Phil Fennell, *Treatment Without Consent: Law, Psychiatry and the Treatment of Mentally Disordered People Since 1845* (London and New York: Routledge, 1996), p. 48.

<sup>393</sup> In his publications, Nicolson quoted from Maudsley and there is evidence of communication between the two men. For example, ‘Morbid Psychology’ (July 1875), p. 233.

wrote, ‘the broad fact [is] that all insanity is to some extent preventable.’<sup>394</sup> Nicolson did, however, support (but did not implement) the use of mechanical restraint. This was because of the dangerous and ‘maniacal’ nature of some of Broadmoor’s patients:

Few people who have not been engaged in it are able to estimate the wear and tear of nerve and heart which a tussle with a desperate lunatic of this sort means to the attendants, apart from the risk of possible injury either to patient or warders. And when this struggle has not only been anticipated but to be engaged in several times a day for a lengthened period, the justifiability and humanity of simple, effective, and safe mechanical restraint becomes apparent.<sup>395</sup>

No definite shift towards psychiatric pessimism at Broadmoor is evident until after Brayn was appointed in 1896. Broadmoor was not affected by overcrowding at the same time as other asylums. Of course, this is hardly surprising given that the asylum did not open until the 1860s; it takes time for patient numbers to accumulate. During the late 1890s Broadmoor’s patient population rose dramatically. In response to this, and in direct contrast to Orange’s view that Broadmoor was a curative institution, Brayn told the Home Office:

There is no reason to believe that treatment will be more successful in the future in diminishing the gravity of cases, nor in effecting a larger proportion of cures. The majority of Male inmates of this Asylum are not favourable subjects for treatment. By far the greater number are chronic and incurable lunatics.<sup>396</sup>

Brayn pointed out that admissions outnumbered deaths and discharges combined, and that patients were living longer. As a result, ‘For some time [...] the blocks for refractory patients have been constantly full.’<sup>397</sup> The result of overpopulation was the association of dangerous and turbulent patients with their quieter counterparts, something Broadmoor was supposed to avoid. More significantly, however, Brayn perceived asylum life to be doing the exact opposite of what was intended: it was making men less well equipped to

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<sup>394</sup> David Nicolson, ‘The Measure of Individual and Social Responsibility in Criminal Cases’, *Journal of Mental Science*, 24 (July 1878), 249-273 (p. 262).

<sup>395</sup> David Nicolson, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1888* (London: George E. Eyre and William Spottiswoode, 1889), p. 6.

<sup>396</sup> NA, HO. 45.9754. A.60166, letter to the HO.

<sup>397</sup> Ibid.

cope with normal life. In a letter reflecting the pessimism of the *fin de siècle*, Brayn told the Home Office, ‘men who have been in the Asylum for some years, find themselves, on discharge, seriously handicapped in taking the thread of their former life, and in starting afresh in the face of the keen competition and struggle for existence in the present day.’<sup>398</sup> They thus relapsed into insanity and crime. At the end of the nineteenth century the medical profession, alongside novelists, men of science and poets, voiced its concern regarding the brutal and ‘dehumanizing’ impact competition perceptibly had on men.<sup>399</sup> It is within this context that Brayn appears to have been writing.

Brayn’s tenure as Superintendent has not generally been positively appraised. Ralph Partridge and Winchester both characterised his time at Broadmoor as one of terror.<sup>400</sup> Brayn’s regime was certainly the toughest and most pessimistic that Broadmoor had ever witnessed, but given the difficulties that arose surrounding the segregation of patients, alongside increasing patient numbers, it seems that Brayn, like the county asylum Superintendents of the 1860s and 1870s, had no choice but to alter the treatment of patients accordingly. In 1896 and 1900, 200,000 hours of seclusion were logged, and in 1899, 177,000 hours of seclusion were recorded.<sup>401</sup> These figures were in stark contrast to those recorded under Orange: in the year 1877-78, for instance, 16,893 hours of seclusion were recorded, and in the year 1878-79, just 3,339 hours were logged.<sup>402</sup> Although initially alarmed at Brayn’s heavy use of seclusion, the Lunacy Commissioners,

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<sup>398</sup> Letter to the HO. Towards the end of the nineteenth century the notion that life was a ‘struggle’ was increasingly commented on by medical men, novelists and the press. Tosh, *Manliness and Masculinities*, p. 87.

<sup>399</sup> Janet Oppenheim, *Shattered Nerves: Doctors, Patients, and Depression in Victorian England* (New York and Oxford: Oxford University Press, 1991), p. 157.

<sup>400</sup> Ralph Partridge, *Broadmoor: A History of Criminal Lunacy and its Problems* (London: Chatto & Windus, 1953), p. 91; Simon Winchester, *The Professor and the Madman: A Tale of Murder, Insanity, and the Making of the Oxford English Dictionary* (New York: Harper Perennial, 2005), p. 182.

<sup>401</sup> Partridge, *Broadmoor*, pp. 91-92.

<sup>402</sup> Lunacy Commissioners’ Report, in William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1880* (London: George E. Eyre and William Spottiswoode, 1881), pp. 88-95 (p. 93).

who had always condemned its use, came to accept its necessity in controlling troublesome patients. As Phil Fennell writes, they appear to have accepted ‘Brayn’s main contention that Broadmoor was not a hospital but a prison’;<sup>403</sup> the exact opposite of what their predecessors had recommended the asylum be.

The Victorian prison system was increasingly regulated, and in the mid-late nineteenth century seclusion and restraint were adopted by a growing number of institutions to treat and subdue criminals.<sup>404</sup> As a prison medical officer and Governor, Brayn would have been exposed to changes in the treatment of criminals, and it appears that this previous experience influenced his reign at Broadmoor.<sup>405</sup> Yet, it is unlikely that the Council, whose job it was to recommend to the Home Office a candidate for the post of Superintendent, chose Brayn because there was already a shift to pessimism at the asylum: they were a distinctly optimistic group of men.

The Council appear to have had more difficulty than the Lunacy Commissioners in accepting Broadmoor’s new status as a prison. An examination of Home Office records suggests a conflict between the Council’s ideology (moral treatment) and Brayn’s (incarceration). Well into the 1890s, Council members fought to employ moral treatment at Broadmoor and promoted the importance of the asylum’s architecture. When plans were discussed by the Home Office to build a new block at the asylum to reduce overcrowding, the Council objected on the grounds that ‘the difficulties of supervision would be enormously increased; and the efficiency of the asylum dangerously impaired.’ Moreover, ‘it is absolutely essential that [the Superintendent] should have intimate personal knowledge of the bodily and mental state of each individual patient, which

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<sup>403</sup> Fennell, *Treatment*, p. 59.

<sup>404</sup> Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990), pp. 105-109. See also, Chapter Three of this thesis.

<sup>405</sup> ‘Obituary: Sir Richard Brayn’, *BMJ*, 23 March 1912, 705.

would not be practicable if any considerable addition were made to the number now under detention in the asylum.’<sup>406</sup> It is perhaps no coincidence that the Council’s objections echoed the ethos of Broadmoor’s former Superintendent William Orange who had previously expressed the importance of ‘doctoring the patients’; between 1892 and 1904 he was a member of the Council.<sup>407</sup>

In an attempt to stop the expansion of Broadmoor and to promote the moral treatment of criminal lunatics in England, the Council proposed the conversion of existing asylums and prisons into criminal lunatic establishments.<sup>408</sup> Echoing the concerns expressed by W. C. Hood in the 1850s, as discussed in the Introduction, they believed that a new asylum situated in the Midlands or the north of England would be most beneficial:

A large proportion of the patients belong to that part of the country, and their removal to Broadmoor not only involves additional expense, but, the distance from their homes being so great, many of them are completely separated from their friends [...] In cases of illness and death this is felt to be a great hardship, and is a source of distress both to the patients and their relatives.<sup>409</sup>

The Treasury refused to pay for a new asylum, however, and instead funded the construction of a new wing at Broadmoor.<sup>410</sup> The Council were unhappy but adamant that the new block should be built according to their plans: it ‘should be constructed so as to harmonise with the existing buildings and that its internal arrangements should be similar to those in the rest of the asylum.’ They also stipulated that since the Block would be ‘occupied by the more turbulent and dangerous class of patients then only single rooms should be provided.’<sup>411</sup> The proportion of Broadmoor’s patients sleeping in single rooms

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<sup>406</sup> NA, HO. 45.9754 A.60166/9, letter to the HO.

<sup>407</sup> In March 1868, Meyer recorded in the Superintendent’s Journal that Orange had complained to him, ‘I am not doing my duty I am not doctoring the patients’.

<sup>408</sup> For the conversion of institutions into a criminal asylum, NA, HO. 45.9754 A60166/1-6.

<sup>409</sup> HO. 45.9754 A.60166/9, letter to the HO.

<sup>410</sup> NA, HO. 45.9754 A.60166/14, notes from the Treasury.

<sup>411</sup> NA, HO. 45.9754 A.60166/26, letter to the HO.



was greater than in ordinary asylums but this had not always been the case. Initially, there had been a larger proportion of dormitories to single rooms but it gradually became apparent that many patients were unfit to sleep in association.<sup>412</sup> The new block was completed in 1902 and added 86 beds to Broadmoor. The number of patients continued to increase and by the time Brayn retired in 1910 the asylum was again full.<sup>413</sup>

#### **IV. Leaving Broadmoor**

Queen's pleasure patients could be discharged from Broadmoor following a successful petition to the Home Office. Once a patient's family or friends had petitioned the Home Secretary, he would ask Broadmoor's Superintendent for a medical report and his opinion on the case in question.<sup>414</sup> If the petition was successful then a patient could be absolutely discharged, meaning they were no longer tied to the asylum; this appears to have happened only if the patient was moving abroad.<sup>415</sup> It was more likely that a patient would be conditionally discharged. In these cases, their assigned guardian had to sign a Form of Undertaking by which they promised to care for the patient and report their mental and physical condition to the Home Office and to Broadmoor indefinitely.<sup>416</sup> If patients relapsed into insanity then the Home Secretary would issue a warrant for their arrest and revoke the warrant of conditional discharge. The patient would be sent back to Broadmoor. The discharge of insane convicts is discussed in Chapter Three.

More women than men tended to be discharged from county asylums, and this was also the case at Broadmoor where, between 1863 and 1900, 23% of women and 7%

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<sup>412</sup> Brayn, 'Brief Outline', p. 255.

<sup>413</sup> Partridge, *Broadmoor*, p. 91.

<sup>414</sup> Some patients who had no contact with their friends or family petitioned for their own release and were sometimes discharged to the care of the Salvation Army. For example, D/H14/D2/2/1/1680, Robert Jones's case file.

<sup>415</sup> For patients discharged abroad, Gordon, *Broadmoor*, p. 182.

<sup>416</sup> If a patient's guardian died then another relative or a friend had to sign an additional Form of Undertaking.

of men were discharged [Figure 13]. It was partly because a larger proportion of men's wives had no choice other than to move on whilst their husbands were incarcerated, as discussed in Chapter One, that a smaller number of men than women were discharged from Broadmoor.<sup>417</sup> In 1885 Orange reported that

there is less difficulty in the case of women than there is in the case of men in finding relatives or friends who are not only willing to provide a home, but who are also able to exercise due supervision, so as to prevent as far as possible any further harm being done by the discharged patient, in the event of the occurrence of a relapse.<sup>418</sup>

The statistics show that 40% of men and 36% of women never left Broadmoor. It is also apparent that a greater number of men than women were transferred out of the asylum: 38% of men and 30% of women were transferred to another asylum because the term of their original sentence had expired, and 2% of women and 6% of men were transferred back to prison. The latter is explained by the fact that there were more male than female insane convicts.

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<sup>417</sup> Melling and Forsythe question the willingness and capability of nineteenth-century females to care for their male relatives. *Politics*, p. 107.

<sup>418</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1885* (London: George E. Eyre and William Spottiswoode, 1886), p. 6.

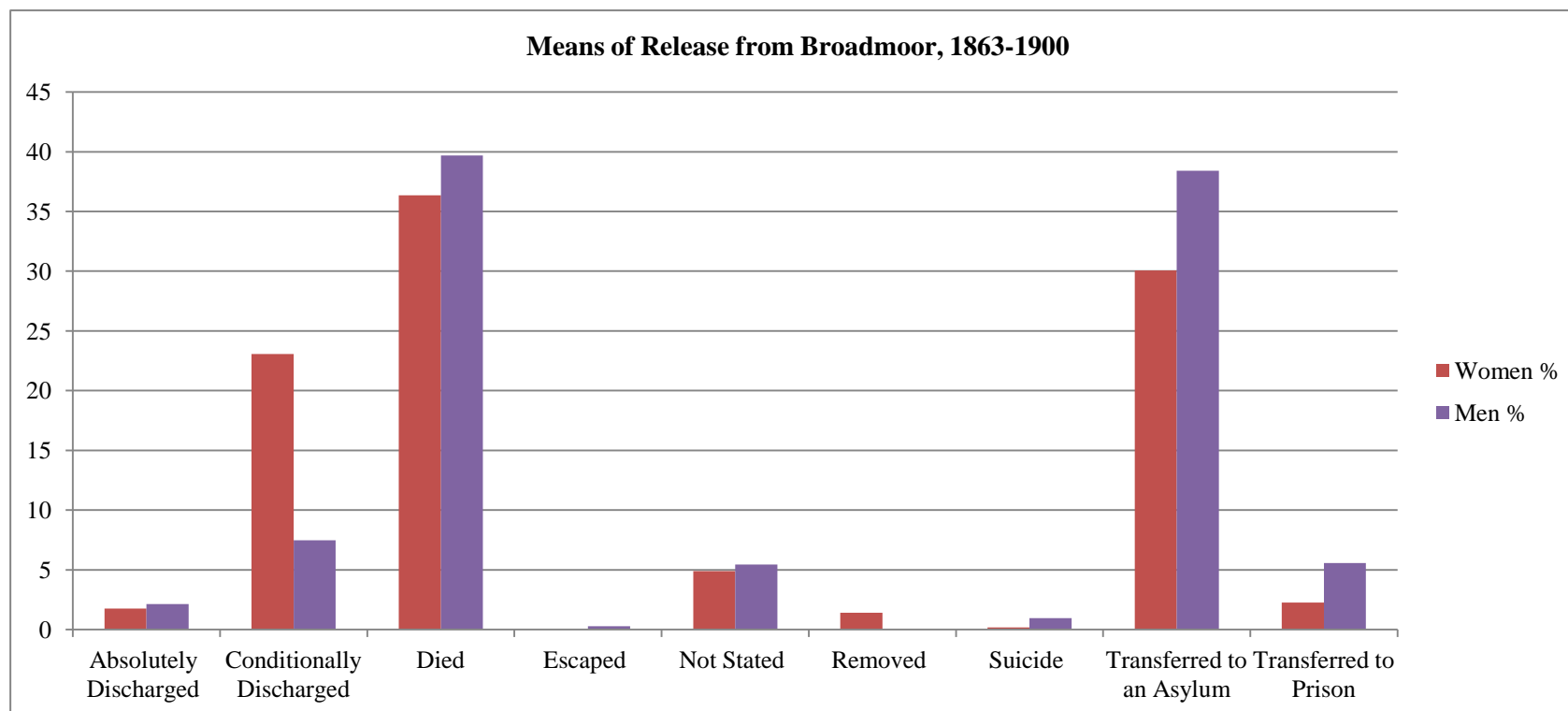


Figure 13. Graph indicating the ways in which patients left Broadmoor as a percentage of each sex<sup>419</sup>

<sup>419</sup> 'Removed' means either to an asylum or prison, but the registers do not record which. Instances of escape were low because not all escapes were recorded in the registers, and Broadmoor had a better record than county asylums when it came to the number of escapees. Gordon, *Broadmoor*, p. 147.

Building on John Walton's groundbreaking study on the movement of the insane in and out of asylums, David Wright examines the process of asylum discharges.<sup>420</sup> He shows that the release of patients was not age or gender specific, nor was it dependent solely on a medical evaluation. Rather, the ability and willingness of a patient's family to receive them back into their household, the views of magistrates about public safety and the number of unoccupied beds in the asylum were taken into consideration.<sup>421</sup> The discharge of patients from Broadmoor was based on similar considerations, and an examination of cases supports the argument that social and economic factors together with concerns over whether patients might display violent or criminal behaviour on release were just as, if not more important than, medical reports.<sup>422</sup> To gain conditional discharge from Broadmoor patients not only had to prove their sanity, industriousness and show they were no longer a threat to society, but there had to be friends or family members willing and able to offer them support following their release.

An examination of the Broadmoor records lends support to Peter Bartlett and David Wright's conclusion that 'care outside the walls of the asylum was [...] a reality'.<sup>423</sup> This contradicts the earlier contentions of scholars such as Scull who argued that asylums replaced the family as centres of care and control, and Stan Cohen who asserted that it was not until decarceration occurred in the twentieth century that social control moved from the asylum into the community.<sup>424</sup> An examination of letters to and from Broadmoor

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<sup>420</sup> John Walton, 'Casting Out and Bringing Back in Victorian England: Pauper Lunatics, 1840-1870', in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 vols (London: Routledge, 1985-88), VII (1985), pp. 132-146.

<sup>421</sup> David Wright, 'The Discharge of Pauper Lunatics from County Asylums in Mid-Victorian England: The Case of Buckinghamshire, 1853-1872', in *Insanity, Institutions and Society, 1800-1914: A Social History of Madness in Comparative Perspective*, ed. by Joseph Melling and Bill Forsythe (London and New York: Routledge, 1999), pp. 93-113 (p. 94).

<sup>422</sup> Andrew Scull, 'Rethinking The History of Asylums', in *Ibid.*, pp. 295-315 (p. 309).

<sup>423</sup> Peter Bartlett and David Wright, 'Community Care and its Antecedents', in *Outside the Walls of the Asylum: This History of Care in the Community 1750-2000*, ed. by Peter Bartlett and David Wright (London and New Brunswick, NJ: The Athlone Press, 1999), pp. 1-18 (p. 4).

<sup>424</sup> *Ibid.*, p. 13.

and of the publications of Broadmoor's Superintendents suggests that they believed in and promoted the importance of community care. Following the conditional discharge of patients, surveillance was carried out by their appointed guardians who were required to send periodical reports back to Broadmoor and to the Home Office detailing their mental and physical condition. Moreover, Nicolson believed that it was 'the duty of society to ensure that all lunatics are properly looked after' and that a 'special responsibility rests upon the community in regard to criminal acts committed by the insane.'<sup>425</sup> It was up to a patient's appointed guardian to ensure that they remained temperate, industrious, rational and independent. Discharged patients thus had to continue to exhibit the manly characteristics imbued in them whilst at Broadmoor following their discharge. The care and control patients would receive when discharged was deemed so important that Broadmoor's Superintendents had strict stipulations regarding who they were prepared to send patients to. The father of patient Cuthbert Rodham Carr was told by Orange that he would not support any petition made for Carr's discharge because 'I do not think you would be successful in your attempt to exercise control over him.'<sup>426</sup> Other potential guardians were refused the privilege of caring for and guiding discharged patients because they were considered bad examples: they were immoral and intemperate.<sup>427</sup>

Patients' relatives could request their discharge from county asylums whether the patient was deemed to have improved or not and the Superintendent had the right to refuse if they felt the patient was unfit to be at large. Wright shows that at the Buckinghamshire asylum patients could be released if their families demanded it.<sup>428</sup> At Broadmoor, even if patients were considered sane and had demonstrated industriousness

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<sup>425</sup> David Nicolson, 'The Measure of Individual and Social Responsibility in Criminal Cases', *Journal of Mental Science*, 24 (July 1878), 249-273 (p. 262).

<sup>426</sup> D/H14/D2/2/1/388/11, letter to Carr's father.

<sup>427</sup> For example, D/H14/D2/2/1/1479, letter to Nicolson.

<sup>428</sup> Wright, 'The Discharge of Pauper Lunatics', in *Insanity, Institutions and Society*, ed. by Melling and Forsythe, p. 98.

and self-control, their discharge could still be refused.<sup>429</sup> This frustrated some patients who even though they conformed to prevailing ideals of manliness were thwarted by the Broadmoor system. Robert Hallowell wrote to Orange, ‘during all these years I have not had the slightest symptom which preceded my illness previous to being sent here. I think that is the best and safest test [of sanity].’<sup>430</sup> And Timothy Grundy complained to Brayn, ‘I have done a good deal of useful work here for 30 years and striven hard to redeem my freedom but been locked out of it by one superintendent and another.’<sup>431</sup>

‘When a patient has once exhibited homicidal impulse’ wrote Henry Maudsley, ‘it is necessary to observe him for a considerable time before coming to the conclusion that it has left him.’<sup>432</sup> Such an approach appears to have been taken at Broadmoor. In 1901 Brayn told the Medico-Psychological Association that the ‘question of the discharge of the criminal insane, more especially those who have committed homicide, is always a serious matter and often fraught with difficulty.’<sup>433</sup> In such cases, Orange reported, ‘no persons [...] are set at liberty unless under such circumstances and conditions as to render it reasonably probable that they will not again prove a danger to the community.’<sup>434</sup> It was more difficult to ensure these conditions in male cases in part because of the difficulty of finding a supportive environment, but also because the majority of women committed to Broadmoor had committed infanticide. In his study of the discharge of infanticidal women from Broadmoor and Perth asylum, Jonathan Andrews shows that once some women had passed childbearing age and were no longer liable to puerperal

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<sup>429</sup> Timothy Baun’s discharge was cautioned against even though he was considered ‘rational and free from delusions’ and had worked ‘steadily’, D/H14/D2/2/1/222/7, medical report.

<sup>430</sup> D/H14/D2/2/1/905/45, letter to Orange.

<sup>431</sup> D/H14/D2/2/1/186/24, letter to Brayn. Patients’ families were also frustrated when their relatives were refused discharge. The sister of patient John Gee wrote to Orange: ‘it looks strange to me they keep him in [Broadmoor] [...] he does not do anything wrong which hinders his discharge.’ D/H14/D2/2/1/1198, letter, 3 December 1885.

<sup>432</sup> Henry Maudsley, *The Physiology and Pathology of Mind* (London: Macmillan and Co., 1867), p. 413.

<sup>433</sup> Brayn, ‘Brief Outline’, p. 255.

<sup>434</sup> Orange, *Reports of the Superintendent* (1885), p. 6.

insanity, and thus were unlikely to have and murder more children, they were no longer deemed a threat to society and discharged.<sup>435</sup> It was sometimes difficult to measure the level of threat a male patient posed and it is shown in Chapter Three that some male patients (convicts) re-offended following their discharge. Assessing the impact patients' crimes had on discharge is beyond the scope of this thesis, but it appears that in some cases certain crimes were deemed more heinous than others and affected how long patients were committed before they were considered fit for release. For instance, it is shown in Chapter Four that patient Robert Hallowell, who was considered both sane and hard working, was initially refused discharge 'bearing in mind the circumstances that his son whose life he took was at the time 13 years of age'.<sup>436</sup>

## **V. Conclusion**

This chapter has given an overview of how men were treated at Broadmoor. It has highlighted the importance placed on moral treatment by Broadmoor's earliest Superintendents and has shown just how difficult it was to treat criminal lunatics as ordinary patients. More significantly, it has shown that moral treatment was implemented in Broadmoor well beyond the period usually thought to mark its demise. It highlights the fact that even in the face of increasing patient numbers there were those at Broadmoor, namely its Council, who fought against the seemingly inevitable changes that were occurring under Brayn and in psychiatry in general.

The importance placed on industry, temperance and rationality as pre-requisites for the release of some patients has been emphasised. On the one hand, it may be suggested that the moral treatment of men in Broadmoor did, as Grundy's friend wrote,

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<sup>435</sup> Jonathan Andrews, 'The Boundaries of her Majesty's Pleasure: Discharging Child-Murderers from Broadmoor and Perth Criminal Lunatic Department c. 1860-1920', in *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550-2000*, ed. by Mark Jackson (Aldershot: Ashgate Publishing, 2002), pp. 216-48.

<sup>436</sup> D/H14/D2/2/1/905/22, medical report.

raise patients to manhood. It was important that patients could be independent, were sufficiently equipped to practice a trade and financially provide for themselves and their families upon discharge; indeed, they had to be useful members of society. But on the other hand, a close examination of the records indicates that not all patients who conformed to an ideal model of male behaviour were discharged. Furthermore, there were occasions when patients were discharged even though they were seemingly unable to work and take care of themselves. Such evidence questions the extent to which asylums were institutions of control and supports Melling and Forsythe's argument that other historians have 'overstated the degree to which asylums represented modern bourgeois values'.<sup>437</sup>

The following chapter examines insane convicts: how and why they were committed to Broadmoor and the impact they had upon the treatment of Queen's pleasure patients and on the asylum's regime.

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<sup>437</sup> Melling and Forsythe, *Politics*, p. 6.



### Chapter Three: The Criminal Man and Broadmoor

Following their annual visit to Broadmoor in 1874, the Lunacy Commissioners came to the following conclusion:

The forced association of honest and well-conducted persons who, solely owing to mental disease have broken the law, with convicts whose criminal acts have probably been the cause of their mental disorder is evidently unjust, and there is every reason to believe that the successful management and treatment of both classes should be more safely and efficiently conducted in separate institutions, with different rules and modes of treatment, and wherein the structural arrangements can be specially adapted to the varying requirement of each.<sup>438</sup>

An examination of the Broadmoor archive and Home Office records highlights the difficulties that arose when it came to treating convicts in the asylum: they were reportedly disruptive, cunning and unteachable, and their habits presumed contagious. It is thus surprising that it took the Lunacy Commissioners ten years to reach such a conclusion; indeed, they had previously sought to enforce the similar treatment of convicts and Queen's pleasure patients at Broadmoor. Drawing upon contemporary discussions of the criminal, including the publications of Broadmoor's Superintendents, and discussions of the convict class found in Annual Reports and patient case files, how and why the Lunacy Commissioners came to their decision is one of the questions addressed in this chapter. In addition, the question of how convicts ended up at the asylum is examined. Why some convicts were not found insane when tried even though their cases met the McNaughton criteria is also considered.

The question of how the Victorians defined and characterised the criminal has been the subject of much scholarly work. Whilst it is therefore unnecessary to go into detail here, an overview of the ideas expressed by Victorian medical and legal minds is given to provide context and also in order to understand why the committal of convicts

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<sup>438</sup> Quoted in William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the year 1874* (London: George E. Eyre and William Spottiswoode, 1875), pp. 8-9.

into Broadmoor was considered potentially harmful and disruptive to the asylum's regime. Moreover, although Neil Davie astutely depicts David Nicolson's (Superintendent 1886-1896) views on the criminal type from the time he was a Prison Medical Officer (PMO), much more can be taken from Nicolson's work: his views on criminals' emotions, causes of crime, the prison regime and feigning madness, none of which have previously been studied.<sup>439</sup> In addition, the view of Broadmoor's other Superintendents, particularly William Orange (Superintendent 1870-1886), need to be added to discussions on the criminal.

### **I. 'More like a maniac than a man': Becoming a Criminal Lunatic**

In 1874, whilst employed at Portsmouth Prison, Nicolson published 'The Morbid Psychology of Criminals' in which he wrote: 'If we are expected, as the saying is, "to give the devil his due," we are bound to accord the criminal the same privilege and we must not punish his insanity.'<sup>440</sup> Under the Broadmoor Act (1860), on the advice of the PMO, and the instruction of the Home Office, allegedly insane convicts could be transferred to Broadmoor.<sup>441</sup> Under the Insane Prisoners Act amendment (1864) if any prisoner was suspected to be mad then he was to be examined by two physicians or surgeons (or one physician and one surgeon). If, after the examination, the prisoner was still deemed insane then a warrant, signed by the Home Secretary, was issued for their

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<sup>439</sup> Neil Davie, *Tracing the Criminal: The Rise of Criminology in Britain, 1860-1918* (Oxford: Bardwell Press, 2005).

<sup>440</sup> David Nicolson, 'The Morbid Psychology of Criminals', *Journal of Mental Science*, 20 (July 1874), 167-185 (p. 185).

<sup>441</sup> The Broadmoor Act (1860): 'It shall be lawful for One of Her Majesties Principal Secretaries of State, by Warrant under his Hand, to direct to be conveyed to and kept in any such Asylum any person for whose safe custody during Her Pleasure Her Majesty is authorized to give Order, of whom such Secretary of State might direct to be removed to a Lunatic Asylum under any of the Acts herein mentioned, or under any other Act of Parliament, or any Person sentenced or ordered to be kept in Penal Servitude, who may be shown to the satisfaction of the Secretary of State to be insane, or to be unfit from Imbecility of Mind for Penal Discipline'. Criminal Lunatic Asylum. A Bill to Make Better Provision for the Custody and Care of Criminal Lunatics, 1860 (175) 11.811.

transfer to an asylum or another ‘proper Receptacle for Insane Persons.’<sup>442</sup> The Prisons Act (1865) stipulated that all prisoners in England and Wales had to be regularly subjected to a medical inspection.<sup>443</sup> If a prisoner was deemed to be weak-minded he was generally (temporarily) removed to the prison’s infirmary.<sup>444</sup> If a convict was insane, the PMO could have him removed to Broadmoor.

Alienists and PMOs generally agreed that ‘the earlier months of imprisonment are more liable to induce depression of spirits’ in many prisoners.<sup>445</sup> Nicolson believed however, that this ‘depression is not in itself a form of mental disturbance which requires [...] interference’ from the PMO.<sup>446</sup> Three months later he stated:

with criminals [...] we are not to expect a mental and moral tone free from defect any more than we are to look for perfection in humanity in any circumstances. The question

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<sup>442</sup> Insane Prisoners Act amendment. A bill to amend the act third and fourth Victoria, chapter fifty-four, for making further provision for the confinement and maintenance of insane prisoners, 1864 (4) II.347.

<sup>443</sup> For a history of the prison medical service, John Sim, *Medical Power in Prisons: The Prison Medical Service in England 1774-1989* (Milton Keynes and Philadelphia: Open University Press, 1990).

<sup>444</sup> Criminality was associated by some alienists and PMOs with inherited weak-mindedness. Janet Saunders and Stephen Watson have examined the diagnosis and treatment of weak-minded prisoners and thus it is unnecessary to go into detail here. Furthermore, of the 186 convicts transferred to Broadmoor examined for this chapter, only 13 were explicitly reported to have been weak-minded. It may be that the number was low because it was not until the twentieth century that weak-mindedness was specifically associated with mental disease, and thus affected individuals were more likely to be committed to prison (and stay there) than to an asylum. Watson suggests that in the nineteenth century, weak-mindedness literally meant ‘unfit for prison discipline’ and an examination of Nicolson’s publications supports this: he believed that weak-minded prisoners required a relaxation of prison discipline and not a certificate of lunacy. Janet Saunders, ‘Quarantining the Weak Minded: Psychiatric Definitions of Degeneracy and the Late-Victorian Asylum’, in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 vols (London: Routledge, 1985-88), VII (1985), pp. 273-297 and ‘Magistrates and Madmen: Segregating the Criminally Insane in Late-Nineteenth Century Warwickshire’, in *Policing and Punishment in Nineteenth Century Britain*, ed. by Victor Bailey (London: Croom Helm, 1981), pp. 217-241; Stephen Watson, ‘Malingeringers, the "Weakminded" Criminal and the "Moral Imbecile": How the English Prison Medical Officer Became an Expert in Mental Deficiency, 1880-1930’, in *Legal Medicine in History*, ed. by Michael Clark and Catherine Crawford (Cambridge: Cambridge University Press, 1994), pp. 223-241; Nicolson, ‘Morbidity Psychology’ (1874), pp. 178-181. The chairman of convict prisons, Edmund Du Cane, expressed similar ideas to Nicolson, *The Punishment and Prevention of Crime* (London: Macmillan and Co., 1885), p. 4. For weak-minded prisoners transferred to Broadmoor see the following case files, D/H14/D2/2/1/1108, William Thompson; D/H14/D2/2/1/1353, Francis De Parrelle; D/H14/D2/2/1/ 1355, William Hill; D/H14/D2/2/1/ 1360, David McKenzie; D/H14/D2/2/1/1364, Thomas Guest; D/H14/D2/2/1/1365, James Danford Edwards; D/H14/D2/2/1/1429, George Holmes; D/H14/D2/2/1/1395, James O’Neill; D/H14/D2/2/1/1025, Thomas Harvey; D/H14/D2/2/1/200, Joseph Hodge; D/H14/D2/2/1/1503, George Gardiner; D/H14/D2/2/1/650, William Jones; D/H14/D2/2/1/606, Bruce White.

<sup>445</sup> David Nicolson, ‘The Morbid Psychology of Criminals’, *Journal of Mental Science*, 21 (April 1875), 18-31 (p. 21).

<sup>446</sup> *Ibid.*, p. 23.

is, rather, what amount of defect is a criminal to possess before he is to be characterised and treated as [...] an insane criminal?<sup>447</sup>

The following paragraphs consider this question.

In their reports to Broadmoor, PMOs referenced prisoners' emotional displays and physical deficiencies to justify the label of insanity that they had placed upon them. Based upon his observations of criminals at Portsmouth, Nicolson wrote that 'emotional display and simple perverted ideation are the most prominent of the mental peculiarities of criminals in prison, so are emotional exaltation and delusional exaltation the most frequent and prominent peculiarities among prisoners.'<sup>448</sup> Prison chaplain W. D. Morrison also wrote about criminals' emotions. He observed that they 'do not, as a rule, possess the same keenness of feeling as the ordinary man [...] The family sentiment is also feebly developed; the exceptions to this rule form a small fraction to the criminal population.'<sup>449</sup> Before their transfer to Broadmoor, some convicts were described as being excessively emotionally excited. Attempted wife murderer, John Warrener, 'sobbed [and] shed tears' whilst writing a 'disconnected and incoherent statement to the effect he wanted to go home [...] that his wife had forgiven him'; Joseph Cockerill 'laughs and cries [sic] without apparent reason'; and Henry Baldwin 'sobs for hours at a time'.<sup>450</sup> Such explicit emotional displays were rare (or they went unrecorded), and it was more common for convicts' insanity to be indicated by destruction, violence and dirty habits.<sup>451</sup> Edward

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<sup>447</sup> David Nicolson, 'The Morbid Psychology of Criminals', *Journal of Mental Science*, 21 (July 1875), 225-253 (p. 231).

<sup>448</sup> Ibid., p. 228.

<sup>449</sup> W. D. Morrison, *Crime and its Causes* (London: Swan Sonnenschein & Co., 1891), p. 196.

<sup>450</sup> D/H14/D2/2/1/1445, Schedule A; D/H14/D2/2/1/1560, Joseph Cockerill's case file; D/H14/D2/2/1/1793, medical report (September 1898). Also, D/H14/D2/2/1/1373, Edward Cobb's case file; D/H14/D2/2/1/1395, James O'Neill's case file; D/H14/D2/2/1/1480, Henry Jones's case file; D/H14/D2/2/1/1729, John Hutchinson's case file.

<sup>451</sup> See the following case files, D/H14/D2/2/1/1303, Thomas Basnett; D/H14/D2/2/1/1365, James Danford Edwards; D/H14/D2/2/1/728, William Smith; D/H14/D2/2/1/1513, Samuel Winter; D/H14/D2/2/1/934, George Abbott; D/H14/D2/2/1/1078, John Pearson; D/H14/D2/2/1/1606, Henry Wilson; D/H14/D2/2/1/1110, Benjamin Hackett; D/H14/D2/2/1/1631, George Flight; D/H14/D2/2/1/852, William Griffiths; D/H14/D2/2/1/187, John Bedionith; 1354; D/H14/D2/2/1/1060, Dennis Linaham;

Wilkinson was so destructive that the PMO described him to be ‘more like a maniac than a man’.<sup>452</sup> George Turner ‘eats dirt, stone and rags – [he] once cut off a piece of his nose and ate it.’<sup>453</sup> Edward Smith had a habit of ‘washing himself all over with his urine, drinking his urine and defacat[ing] in his dinner.’<sup>454</sup> Other prisoners were mischievous; one was frequently found ‘talking and laughing in school’ and ‘writing and drawing in the bible.’<sup>455</sup>

In these cases, PMOs seemingly believed that emotional outbursts and instances of dirty and immoral behaviour were in themselves indications of madness warranting a transfer to Broadmoor. But this was a matter upon which Nicolson advised caution. He did not believe that a criminal should be ‘relegated to the ranks of insanity’ just because he was emotional, violent or used bad language.<sup>456</sup> This was because at the root of their behaviour was ‘a certain compensatory gratification [...] just as the spoilt child, when thwarted, shows itself to be silly, pettish, and destructive.’<sup>457</sup> He continued:

With the prisoner there is such a mixture of temper, spitefulness, resentment and riotous exultation on account of some occurrence that the behaviour cannot always be taken as due to any irresponsible form of dementation [sic], for often time, knowing better, he wilfully gives way. When in this violent mood [...] we may fairly say that the prisoner is mentally “not himself,” but, given certain circumstances of provocation, it requires an amount of moral strength which even non-criminals are not always blessed with, to subdue the uprising angry passions, and to preserve an unexcited demeanour.<sup>458</sup>

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D/H14/D2/2/1/1111, David Bradley; D/H14/D2/2/1/1225, William King; D/H14/D2/2/1/1350, Owen Skelley; D/H14/D2/2/1/1355, William Hill; D/H14/D2/2/1/1364, Thomas Guest.

<sup>452</sup> D/H14/D2/2/1/1440, statement by Elizabeth Robinson. Also, D/H14/D2/2/1/746/4, Schedule A; D/H14/D2/2/1/1011/5, penal record; D/H14/D2/2/1/1222, William Smith’s case file; D/H14/D2/2/1/1681, John Russell’s case file; D/H14/D2/2/1/719, Frederick Clark’s case file.

<sup>453</sup> D/H14/D2/2/1/190/1, Schedule A.

<sup>454</sup> D/H14/D2/2/1/1611, Schedule A. Similarly, D/H14/D2/2/1/1537, Schedule A.

<sup>455</sup> D/H14/D2/2/1/619/8, abstract of misconduct book.

<sup>456</sup> Nicolson, ‘Morbidity Psychology’ (July 1875), pp. 228-229.

<sup>457</sup> Ibid., pp. 229-230.

<sup>458</sup> Ibid., p. 230.

To Nicolson, defiance was rarely an indication of insanity. Rather, the ‘predominance of the emotions over the higher mental qualities’ represented the prisoners’ desire to over-rule: ‘Temporarily, he is master of the situation, and *does what he likes*.’<sup>459</sup>

Although not an outright indication of their madness, the misbehaviour of patients drew the attention of the PMO and provided ‘an element of support to any suspicions we have as to his mental unsoundness.’<sup>460</sup> Physical deficiencies also supported the theory that a prisoner may be mentally unsound. An examination of the medical reports provided by PMOs to Broadmoor suggests that they were more likely to refer to the physical deficiencies of convicts than Queen’s pleasure patients: ‘unsteady gait’, ‘muscular tremors’, ‘flabby’ and ‘losing flesh rapidly’ were all commonly attributed to insane convicts.<sup>461</sup> No explicit observations about physiognomy were made by PMOs in the cases examined for this chapter. It was reported however that some convicts, generally those classed as weak-minded, had ‘broken down in both body and mind.’<sup>462</sup> John McDonald’s apathy and irrationality were coupled with ‘his tottering gait, and tremulous lips and tongue, thickness of speech.’<sup>463</sup> And according to the medical officer at Parkhurst prison, William Wall was

childish in his ways and his talk. Laughs idiotically at any trivial matter. Sits all day long turning over leaves of a picture book, muttering [...] to himself. Physically is flabby and weak [...] Walks in a feeble tottering way with swaying movements of body and limbs, fingers moving perpetually<sup>464</sup>

These observations corresponded with John Baker’s (Deputy Superintendent under Richard Brayn, 1896-1910) observation that ‘many [...] weak-minded criminals are

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<sup>459</sup> David Nicolson, ‘The Morbid Psychology of Criminals’, *Journal of Mental Science*, 19 (July 1873), 222-232 (p. 230).

<sup>460</sup> Nicolson, ‘Morbid Psychology’ (1874), p. 183.

<sup>461</sup> D/H14/D2/2/1/1537, Schedule A; D/H14/D2/2/1/1552, medical statement; D/H14/D2/2/1/1065, David Morgan’s case file; D/H14/D2/2/1/1110, Benjamin Hackett’s case file; D/H14/D2/2/1/771, Samson Isaacs’s case file; D/H14/D2/2/1/1562, Luke Hardman’s case file.

<sup>462</sup> D/H14/D2/2/1/1065/1, Schedule A.

<sup>463</sup> D/H14/D2/2/1/1559, medical report.

<sup>464</sup> D/H14/D2/2/1/1642, medical report.

degenerate physically.’<sup>465</sup> Although no explicit references to physiognomy or the criminal type were made in these reports, Davie has shown that there were PMOs in the 1860s and 1870s, including Nicolson, who ‘conceptualised the Criminal as belonging to a relatively homogenous “criminal class”, with distinctive physical and mental traits, precisely the kind of assumptions underlying [Cesare] Lombroso’s later conception of the born-criminal type.’<sup>466</sup> Moreover, and in a revision of Leon Radzinowicz and Roger Hood’s theory that these early enquiries ‘came to a standstill by the mid 1870s, at the very time when the positivist school erupted and produced an unprecedented ferment on the continent of Europe’, Davie shows that these observations and enquires into the criminal type continued into the 1890s.<sup>467</sup> The criminal type is discussed later in this chapter.

## II. The Trials of Insane Convicts

In 1883 Orange delivered his Presidential Address before the Medico-Psychological Association. Referring explicitly to insane convicts he declared, ‘Many of [...] [Broadmoor’s] patients were really lunatics at the time of being sentenced.’<sup>468</sup> In March 1890 the Home Office commented on the case of attempted murderer Owen Roberts who had been sentenced to twenty years penal servitude. Roberts was ‘Apparently a very dangerous mad man [...] He had been previously in an asylum, and it is strange he was not found insane at the trial.’<sup>469</sup> Such cases were not unusual.<sup>470</sup> The question of why such men were not found insane thus arises.

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<sup>465</sup> John Baker, ‘Some Points Connected With Criminals’, *Journal of Mental Science*, 38 (July 1892), 364-369 (p. 368).

<sup>466</sup> Davie, *Tracing*, p. 22.

<sup>467</sup> *Ibid.*, pp. 126-127.

<sup>468</sup> William Orange, ‘Presidential Address, delivered at the Annual Meeting of the Medico-Psychological Association, held at the Royal College of Physicians, London, July 27, 1883’, *Journal of Mental Science*, 29 (October 1883), 329-354 (p. 347).

<sup>469</sup> D/H14/D2/2/1/1377, HO notes, 28 March 1890.

<sup>470</sup> See for example the following cases, D/H14/D2/2/1/1352, George Moriarty; D/H14/D2/2/1/1655, Charles Bacon; D/H14/D2/2/1/975/22, Michael Murphy.

The decisions to find some defendants sane were sometimes obscure and the reasons not always straightforward. An examination of the evidence highlights a number of reasons why a verdict of insanity was not reached. The reason defendants were not found insane when tried for petty crime was, according to Baker, straightforward. He attributed the large number of insane male convicts in Broadmoor to failings in the legal process:

there is room for improvement in the legal procedure connected in with the administration of justice in the case of minor offences [...] When cases are summarily dealt with, the question of insanity is rarely raised, no interest is felt in the accused, and fines or imprisonment follow as a matter of course.<sup>471</sup>

Tables 3 and 4 support this. They indicate that between 1864 and 1900 men committed to Broadmoor were more likely to have been convicted than found insane when tried for crimes such as larceny, forgery, burglary, receiving stolen goods and uttering counterfeit coin.

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<sup>471</sup> John Baker, 'Epilepsy and Crime', *Journal of Mental Science*, 47 (1901), 260-277 (p. 265).



Crime	% insane	% convicted
Arson	50	30
Assault	67	56
Attempted Murder	82	18
Burglary	12	88
Desertion	20	80
Felony	18	82
Forgery	0	100
Fraud and Embezzlement	25	75
Indecent Assault	0	100
Larceny	13	87
Libel	0	100
Manslaughter	29	71
Murder	92	8
Night Poaching	0	100
Rape	13	88
Receiving Stolen Goods	0	100
Riot and Breach of Peace	0	100
Robbery	0	100
Sending Threatening Letters	80	20
Unnatural Offences	40	60
Uttering Counterfeit Coin	0	100
Wilful Damage and Other Malicious Offences	33	67

Table 3. Percentage of Men Found Insane and Convicted, 1864-1871

Crime	% insane	% Convicted
Arson	54	46
Assault	54	46
Attempted Murder	87	13
Attempted Suicide	100	0
Burglary	30	70
Desertion	0	100
Felony	29	71
Forgery	0	100
Fraud and Embezzlement	31	69
Housebreaking	10	90
Indecent Assault	38	63
Larceny	4	96
Manslaughter	56	44
Murder	94	6
Rape	16	84
Receiving Stolen Goods	0	100
Robbery	6	94
Sending Threatening Letters	83	17
Shop breaking	0	100
Sodomy	33	67
Theft	7	93
Unnatural Offences	75	25
Uttering Counterfeit Coin	6	94
Warehouse breaking	0	100

Table 4. Percentage of Men Found Insane and Convicted, 1869-1900

Explanations why prisoners had not been found insane were sometimes provided.

In 1868 Thomas Martin was convicted of arson. At his trial he declared that he was possessed by the devil but was not taken seriously because, as the chaplain of the prison where he had been held reported, ‘as no particular symptoms of insanity had been seen during his imprisonment – these words were treated as an attempt to sham insanity.’<sup>472</sup> In 1868 William Bisgrove was sentenced to death alongside Robert Sweet for the murder of

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<sup>472</sup> D/H14/D2/2/1/753/3, letter.

a man. Following the sentence, Bisgrove took full responsibility for the murder.<sup>473</sup> Sweet was exonerated and Bisgrove's sentence commuted to penal servitude for life. Bisgrove was incarcerated at Taunton Prison where the PMO quickly questioned his sanity. Consequently, the Chief Constable of Somersetshire was ordered by the Home Office to conduct an inquiry. He reported that Bisgrove was an illegitimate child and had been insufficiently fed and clothed, and he was also of weak health and intellect. Furthermore, he alleged that Bisgrove suffered from fits brought on by seeing a man killed by a falling stone in a coal pit. After hearing this evidence, the Home Secretary, Henry Bruce, commuted Bisgrove's sentence because he was 'satisfied that he really was not morally responsible for his actions.'<sup>474</sup> It was reported in the press:

At the trial Bisgrove was defended only by a counsel assigned to him at last minute by the Judge; and nothing was put to evidence but the events on the night on which the murder was committed. But the facts since brought to light tally in a remarkable manner with the absence, noticed at the trial, of any motive in Bisgrove for the commission of the murder, and with its special circumstances, and they are not less consistent with the insanity which is now proved to exist.<sup>475</sup>

It was implied that had the defence not been brought in at the last minute, and had all of the facts been put forward, then Bisgrove would have been found insane when tried.<sup>476</sup>

In some cases there was clear evidence of premeditation. Prior to the attempted murder of his wife, John Warrener had been in prison from where he reportedly wrote to a friend asking him to tell her 'to prepare to meet her God, as it would be the last chance she would have.'<sup>477</sup> Warrener's previous imprisonment may also have worked against him. Indeed, previous convictions seem to have made some judges and juries less likely to consider whether defendants were insane. George Moriarty, for instance, had been

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<sup>473</sup> 'Confession of the Wells Murderer', *Hampshire Telegraph and Sussex Chronicle*, 19 December 1868.

<sup>474</sup> 'The Case of the Convict Bisgrove: The Home Secretary's Defence', *Liverpool Mercury*, 20 January 1869.

<sup>475</sup> Ibid.

<sup>476</sup> Isaac Pinnock's was a similar case: D/H14/D2/2/1/1308, extract from Dr Perry's report.

<sup>477</sup> D/H14/D2/2/1/1530, copy of 'Charge of Attempted Murder at Tunbridge Wells' (undated).

sentenced forty-three times for violent assault.<sup>478</sup> Two final reasons why an insanity verdict was not reached are related to the nature of the crimes committed. Cases of manslaughter or attempted murder were not punishable by death and thus there was no need to save defendants from the gallows, as may have happened in some of the cases which are discussed in Chapters Four and Five.<sup>479</sup> Finally, attitudes towards the type of crime committed appear to have had some bearing on the verdict. An examination of cases involving the rape of women suggests an uneven application of medical diagnosis in the courtroom. John Thomas Smith was convicted of rape in 1882. It emerged at Smith's trial that he had previously been imprisoned and whilst serving his sentence was transferred to Bicton Lunatic Asylum.<sup>480</sup> The judge remarked that it was 'one of the worst cases of the kind that had ever come before his notice in an experience of nearly half a century' and recalled a time when Smith would have hanged for the crime.<sup>481</sup> He decided against charging Smith with the robbery that had occurred alongside the rape because it was 'perfectly true that at one period of his life the prisoner had been in a lunatic asylum.' However, 'Whether, being in gaol at the time, he had shammed madness he did not know [...] In any case, it appeared from the statement which had been made to him by the medical men [...] that he was discharged perfectly cured and perfectly responsible for his actions.'<sup>482</sup> In her study of sexual crime in the early-nineteenth century, Anna Clark shows that 'experts' (judges and alienists) 'viewed rape as a moral problem which tainted

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<sup>478</sup> D/H14/D2/2/1/1655, medical report. Similarly, D/H14/D2/2/1/ 1352, HO notes (1886).

<sup>479</sup> Following the Criminal Law Consolidation Acts (1861) murder was almost the only capital offence remaining. As the nineteenth century progressed there was growing unease towards capital punishment. V.A.C. Gatrell, *The Hanging Tree: Execution and the English People* (Oxford: Oxford University Press, 1994), pp. 589-611.

<sup>480</sup> D/H14/D2/2/1/1759, undated and untitled newspaper reports, 'The Shropshire Outrage' and 'Brutal Outrage in Shropshire'.

<sup>481</sup> When rape was a capital offence defendants were unlikely to hang. In her *Women's Silence, Men's Violence: Sexual Assault in England 1770-1854* (London and New York: Pandora, 1987), Anna Clark shows that 'The death penalty for rape was thought to prevent juries from reaching guilty verdicts; when it was finally amended to transportation for life in 1841, the conviction rate increased from 10 per cent between 1836 and 1840 to 33 per cent between 1841 and 1845.' p. 60.

<sup>482</sup> 'The Shropshire Outrage'.

the victim more than her assailant.<sup>483</sup> This case lends some support to the argument put forth by Joanna Bourke, Martin Wiener and Clark that as the century progressed, rape was increasingly viewed by judges and juries as a despicable and violent crime.<sup>484</sup> When passing his sentence the judge told the courtroom: ‘Young women must be protected from outrage by marauders like him, and in the interests of justice, and in order that it might act as a warning to prevent a repetition of so hideous a crime, he sentenced him to be kept in penal servitude for 25 years.’<sup>485</sup> The heinous nature of Smith’s crime seemingly overrode what in other cases may have been acceptable evidence of a predisposition to madness. Moreover, the case itself is an interesting example of judicial impatience with medical excuses when it came to certain crimes.

In some cases, defendants were not found insane when they were tried because there was no insanity to be found. It was assumed that a prisoner’s madness was caused by imprisonment.

### **III. Prison Life and Insanity**

In July 1896, as he was imprisoned at Reading Gaol, some twelve miles from Broadmoor, Oscar Wilde petitioned the Home Secretary for his discharge:

For more than thirteen dreadful months now, the petitioner has been subject to the fearful system of solitary cellular confinement: without human intercourse of any kind; without writing materials whose use might distract the mind; without suitable or sufficient books [...] so vital for the preservation of mental balance.<sup>486</sup>

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<sup>483</sup> Clark, *Women’s Silence*, p. 74.

<sup>484</sup> Joanna Bourke, *Rape: A History from 1860 to the Present Day* (London: Virago, 2007), p. 15; Martin Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004), pp. 76-77 and ‘The Victorian Criminalization of Men’, in *Men and Violence: Masculinity, Honor Codes and Violent Rituals in Europe and America, 1600-2000*, ed. by Pieter Spierenburg (Columbus: Ohio University Press, 1997), pp. 197-212 (p. 206).

<sup>485</sup> ‘The Shropshire Outrage’.

<sup>486</sup> Wilde’s Petition to the HO, in *The Complete Letters of Oscar Wilde*, ed. by M. Holland and Rupert Hart-Davis (London: Fourth Estate, 2000), p. 657. On 6 April 1895 Wilde was charged at the Bow Street Police Court with offences under Section 11 of the Criminal Law Amendment Act (1885). He was detained at Holloway prison throughout his trials. His first trial began at the Old Bailey on 26 April but on 1 May a new trial was ordered after the jury disagreed. The second trial began on 20 May and five days later Wilde

There were two different prisons regimes in late -Victorian Britain; the silent system and the separate system. Wilde was describing the latter; a system made compulsory for every male prisoner under The Prisons Act (1865). There were three stages to penal servitude. In the first stage the prisoner spent all of his time, apart from that spent in prayer and undertaking exercise, in his cell employed at some tedious task such as oakum picking. In the second stage, the prisoner would eat and sleep in his cell but worked in association with other patients under supervision. The third stage was the period during which the prisoner was conditionally released from prison but kept under the strict supervision of the police.<sup>487</sup>

The system was headed by Broadmoor's architect, Sir Joshua Jebb, who believed it would prevent corruption, induce moral reform and deter prisoners from reoffending.<sup>488</sup> Although Jebb believed that the system was crucial in the discipline of convicts he had doubts about the potential impact of a prolonged period in separate confinement upon prisoners' minds. Research on Victorian prisons suggests that Jebb's doubts were not unfounded. Based on his research into prisoner's writings, Philip Priestly writes, 'the penitentiary was a private hell; a place of perfect silence and separation.'<sup>489</sup> And Lucia Zedner shows that contemporaries generally believed that women could withstand the separate system better than men; they suffered less from 'depression of spirits' and 'physical deterioration.'<sup>490</sup> Victorian social investigators researched prison life. In their *The Criminal Prisons of London and Scenes of Prison Life* (1862), Henry Mayhew and

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was found guilty and sentenced to two years hard labour. He served the first six months of his sentence at Pentonville and Wandsworth prisons, and the remainder at Reading gaol. For Wilde's trials, Michael S. Foldy, *The Trials of Oscar Wilde: Deviance, Morality and Late-Victorian Society* (New Haven: Yale University Press, 1997).

<sup>487</sup> Du Cane, *Punishment and Prevention*, p. 156.

<sup>488</sup> Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: Clarendon Press, 1991), p. 110.

<sup>489</sup> Philip Priestly, *Victorian Prison Lives: English Prison Biography 1830-1914* (London: Pimlico, 1999), p. 52.

<sup>490</sup> Zedner, *Women*, p. 114.

John Binney wrote that the cellular system ‘breaks down the mental and bodily health of the prisoners [...] it forces the mind to be brooding over its own guilt – constantly urging the prisoner to contemplate the degradation of his position’.<sup>491</sup> Reverend Burt was chaplain of Borough Prison, Birmingham, for seven years before he moved to Broadmoor and used this experience to write ‘Result of Separate Confinement’ in which he declared: ‘Upon the mind of the criminal in separation [...] there are three classes of adverse influences in operation – (1) The heavy blow of punishment. (2) excessive demoralization of character. (3) The *withdrawal of those associations of ordinary life that divert and sustain the mind*’.<sup>492</sup> Burt’s observation resonates with the cases examined for this chapter. John Bevan’s insanity, for instance, was allegedly caused by ‘an irregular life and imprisonment’.<sup>493</sup> And in his petition for his release from prison, William Henry Cook, who was serving a life sentence, wrote, ‘my days are consuming away like smoke and I am becoming a mere skeleton through [the] severe sentence and [I am suffering] anxiety of mind and depression of spirits’.<sup>494</sup>

Some prisoners perceived the solitude of prison life alongside its limited diet, small uncomfortable cells and hard labour to be mentally testing.<sup>495</sup> In his *De Profundis* (1905), published five-years after his death, Wilde drew a parallel between a physical environment (prison) and a mental state when he described the effect of the dark and gloomy cells upon on a man’s constitution: ‘outside, the day may be blue and gold [...] but the light that creeps down through the thickly-muffled glass of the small iron-barred window beneath which one sits is grey and niggard. It is always twilight in one’s cell, as

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<sup>491</sup> Henry Mayhew and John Binney, *The Criminal Prisons of London and Scenes of Prison Life* (London: Griffin, Bohn and Company, 1862), p. 103.

<sup>492</sup> Burt quoted in Mayhew and Binney, *Criminal Prisons*, p. 104.

<sup>493</sup> D/H14/D2/2/1/607/5, Schedule A.

<sup>494</sup> D/H14/D2/2/1/1378, petition (1878).

<sup>495</sup> The Gladstone Committee (1895) deemed two years hard labour more than any man could handle. It was abolished by the 1898 Prisons Act.

it is always midnight in one's heart.'<sup>496</sup> Wilde was not the only prisoner to write of the misery of prison living conditions. Wiener consults prison memoirs to highlight the outrage some former prisoners felt towards the prison regime and Priestly shows that the prisoners of Dartmoor, Millbank and Portland, like Wilde, wrote of the darkness of their cells.<sup>497</sup> In Chapter Six it is shown that some asylum patients feared being driven insane whilst incarcerated. Similarly, when Wilde petitioned the Home Secretary for his discharge from prison, he wrote of his 'terror of madness' and declared that he was 'tortured by the fear of absolute and entire insanity.'<sup>498</sup>

Not everyone believed that the prison regime could cause insanity. Nicolson questioned some of the accusations levelled at the separate system and attributed prisoners' violent outbursts and 'emotional explosions' to companionship rather than madness:

The "separate" [...] cells of prisons are every now and again the scene of pandemonial orgies in which the exulting "brotherhood" shout their noisy chorus and paean of "freedom". There is a sort of reaction from the pent-up longings of their nature, and the conduct [...] is often characterized by a good deal of clumsy, reckless humour.<sup>499</sup>

Nicolson considered these incidents not illustrations of madness but demands for 'a suspension or a relaxation of prison discipline.'<sup>500</sup> And Dr R. M. Gover, the medical inspector of convict prisons, wrote in the *Lancet*:

The monks of the Grande Chartreuse live alone, each in his own "cellule." They remain silent for years, and hear nothing but the sound of their fellow monks' voices at the chapel services, yet visitors never fail to be struck with their healthy and contented appearance. Their food is simple [...] and they are well provided with employment, so that

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<sup>496</sup> Oscar Wilde, *The Soul of Man: And Prison Writings*, ed. by Isobel Murray (Oxford: Oxford University Press, 1999), p. 83. Following his discharge from prison, Wilde wrote to the press regarding the reform of the English prison system. See, letter to the editor of the *Daily Chronicle*, in *Letters*, ed. by Holland and Hart-Davis, pp. 1045-1049.

<sup>497</sup> Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990), p. 327. Priestly, *Victorian Prison Lives*, p. 29.

<sup>498</sup> Wilde's petition to the HO, in *Letters*, ed. by Holland and Hart-Davies, pp. 657-658.

<sup>499</sup> Nicolson, 'Morbid Psychology' (July 1875), p. 232.

<sup>500</sup> *Ibid.*, p. 233.



their condition of life may be fairly compared with that of prisoners undergoing separate confinement at the present time in this county.<sup>501</sup>

In his petition to the Home Office, Wilde attempted to attribute his offence to ‘sexual madness’ and referred to the work of Italian criminologist Cesare Lombroso and Hungarian journalist Max Nordau to highlight ‘a connection between madness and the literary and artistic temperament.’<sup>502</sup> He told the Home Secretary that ‘during the entire time he was suffering from the most horrible form of erotomania, which made him forget his wife and children, his high social position [...] the honour of his name and family [...] and left him the helpless prey of the most revolting passions.’ It was this insanity that Wilde feared would take over his ‘entire nature and intellect’ if he remained incarcerated.<sup>503</sup> Wilde’s attempt to demonstrate he was mad failed but some other convicts were successful in their endeavours.

Nicolson described convict prisons as ‘theatres upon whose stage are enacted day by day a varied round of farces and burlesques.’<sup>504</sup> Convicts were actors, or players, who ‘favour us with exhibitions of symptomatic complaints, as cough, diarrhoea, rheumatism, and the like.’ But, he warned, ‘there are those who aspire higher [...] the protracted helplessness of the paralytic, the recurrent and violent throes of the epileptic, the madman’s incoherence and restlessness, form in themselves the groundwork of representations which, if well sustained, are masterpieces.’<sup>505</sup> An examination of the Broadmoor records suggests that few convicts were suspected of feigning insanity, but an

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<sup>501</sup> R. M. Gover, ‘Remarks on the History and Discipline of English Prisons in Some of Their Medical Aspects’, *Lancet*, 12 October 1895, 909-911 (p. 910).

<sup>502</sup> Wilde’s Petition to the HO, in *Letters*, ed. by Holland and Hart-Davis, p. 656. For Lombroso, Mary Gibson, *Born to Crime: Cesare Lombroso and the Origins of Biological Criminology* (Westport, Connecticut and London, 2002); David G. Horn, *The Criminal Body: Lombroso and the Anatomy of Deviance* (New York and London: Routledge, 2003).

<sup>503</sup> Wilde’s Petition to the HO, in *Letters*, ed. by Holland and Hart-Davis, p. 657.

<sup>504</sup> David Nicolson, ‘Feigned Attempts at Suicide’, *Journal of Mental Science*, 17 (January 1872), 484-499 (p. 484).

<sup>505</sup> *Ibid.*, p. 485. PMOs expressed concern about malingering. Nicolson, ‘Morbid Psychology’ (July 1875), p. 242; Baker, ‘Some Points’, p. 367; A. R. Douglas, ‘Penal Servitude and Insanity’, *Journal of Mental Science*, 44 (April 1898), 271-277 (p. 275).

examination of the cases of those who reportedly did supports the argument that such a deception was ‘a more attractive option’ than remaining incarcerated.<sup>506</sup> Immediately following his conviction, habitual criminal Joseph Denny was so determined not to undergo penal servitude again he made ‘several false confessions of murder’ and as a result was believed to have ‘developed into a raving maniac.’ He was transferred to Broadmoor.<sup>507</sup> Following a visit to Broadmoor in 1881, alienist Daniel Hack Tuke observed that convicts ‘enjoy the [...] comfort’ of the asylum and ‘are very likely to sham madness in order to stay there.’<sup>508</sup> The press criticised Broadmoor for being too luxurious and lenient, an enticing alternative to imprisonment. *Lloyds Weekly Newspaper* reported that

the system is so mild that [...] the inmates eat, drink, laugh and grow fat. There is no sign or trace of insanity about a number of them, and when spoken to on the subject the attendants seem highly amused at the tricks which must have been used to fool doctors [...] so as to secure admission to this “paradise”.<sup>509</sup>

Convicts did not have to display symptoms too divergent from the norm to be considered insane by PMOs: violence, destruction, aggression or a false accusation against a warder or governor were seemingly sufficient evidence of madness.<sup>510</sup> In 1885, Thomas Kelly confessed to feigning madness and described, to an unknown correspondent, how he fooled the PMO:

Sir, in the year 1860 I came to Millbank. After staying there for some 6 months I was removed to what was called association, and there I met with a convict [...] and under his

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<sup>506</sup> R. W. Ireland, *“A Want of Good Order and Discipline”: Rules, Discretion and the Victorian Prison* (Cardiff: University of Wales Press, 2007), p. 216; Saunders, ‘Magistrates and Madmen’, pp. 228-229; Joseph Melling, Bill Forsythe and Richard Adair, ‘Families, Communities, and the Legal Regulation of Lunacy in Victorian England: Assessments of Crime, Violence and Welfare in Admissions to the Devon Asylum’, in *Outside the Walls of the Asylum: The History of Care in the Community 1750-2000*, ed. by Peter Bartlett and David Wright (London and New Brunswick, NJ: The Athlone Press, 1999), pp. 153-180 (p. 161).

<sup>507</sup> D/H14/D2/2/1/1517, HO Notes, 20 March 1891; D/H14/D2/2/1/1517, untitled and undated newspaper report.

<sup>508</sup> Daniel Hack Tuke, *Chapters in the History of the Insane in the British Isles* (London: Kegan Paul, Trench & Co., 1882), p. 274.

<sup>509</sup> ‘Startling Scandals at the “Murderers Paradise” (Broadmoor)’, *Lloyds Weekly Newspaper*, 7 August 1898.

<sup>510</sup> For example, D/H14/D2/2/1/1011/8, medical report.

tuition I was persuaded to feign insanity. So one night shortly after locking up time I commenced to break the window. I was soon interrupted by the night officer and [...] was marched off to the dark cells and lodged there for the night. On the next day I was taken before the governor and interrogated [...] and still maintaining my assumed state, he could not obtain any satisfactory answer [...] he decided to refer my case to the medical officer.<sup>511</sup>

Michelle Higgs has pointed out that PMOs sometimes struggled to diagnose insanity.<sup>512</sup>

And when uncertain of a convict's mental state, it has been argued that PMOs 'preferred to err on the side of scepticism.'<sup>513</sup> The Broadmoor records suggest that the opposite sometimes occurred. Frederick George Martin, a convict at Lewes Prison, was committed to the asylum in 1896. The PMO reported Martin's symptoms of insanity: he made 'rambling and inconsistent statements about himself [...] Alleges that he took in so much sewage contaminated water in a shipwreck at Cardiff that it had to be pumped out of him.' He also refused food 'without reason' and 'simulates fits'.<sup>514</sup> After Martin's committal to Broadmoor, Nicolson reported: 'Since his admission [...] this man has not displayed any symptoms such as would lead to the opinion that he is really insane, and it is probable that the mental derangement from which he was reported to have suffered in Lewes Prison was simulated.' Moreover, the PMO at Lewes stated that 'since certifying him' he has 'been somewhat doubtful as to the [existence] of his symptoms.' Martin was transferred to Parkhurst Prison six months after his committal to Broadmoor.<sup>515</sup>

The detection of feigned insanity was written about by a number of late-nineteenth century alienists. The general consensus was epitomized by L. F. Winslow, lecturer on insanity at Charing Cross Hospital and editor of the *Journal of Psychological Medicine*, who observed, 'The feigner usually imagines that he must [...] be violent and

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<sup>511</sup> D/H14/D2/2/1/1058/20, letter from Kelly. For a similar case, D/H14/D2/2/1/1499, William Henderson's case file.

<sup>512</sup> Quoted in Michelle Higgs, *Prison Life in Victorian England* (Chalford: Tempus Publishing, 2007), p. 104.

<sup>513</sup> Ibid., p. 103.

<sup>514</sup> D/H14/D2/2/1/1720, letter to the HO.

<sup>515</sup> D/H14/D2/2/1/1720, certificate of sanity and certificate of transfer to Parkhurst.

excited [...] He cannot realise any other type of insanity apart from the violent type.’ He continued, ‘It is a curious fact that nearly every well-known instance of feigned insanity has been of this character. It is easy to imitate, and [...] in the eyes of the individual, evident and convincing.’<sup>516</sup> Broadmoor’s medical officers and Superintendents seemingly had a stricter standard of insanity than PMOs. Although seemingly convincing to some PMOs, violent ‘insanity’ did not always convince Broadmoor’s Superintendents. Although Thomas Smith was troublesome and smashed the windows and doors of one of the asylum’s dayrooms with a shovel and brandished carving knives, he was not considered insane. Rather, in 1892 Nicolson reported that Smith continually feigned insanity and suicide.<sup>517</sup> This suggests a continuation in Nicolson’s medical beliefs; as mentioned earlier in the chapter, Nicolson had advised that violence and destruction were not symptoms of madness in criminals *per se*.

In other cases, patients’ alleged insanity was questioned if no delusions were exhibited. In 1882 Orange wrote to the Governor of Warwick asylum in reference to patient Daniel Corney: ‘His mental condition whilst he was here was somewhat doubtful. There were no very definite signs of insanity [...] I talked with him several times [...] but I did not discover the existence of any definite delusions.’<sup>518</sup> Orange’s observation is somewhat surprising given that in 1877 he had declared that there were ‘forms [...] of insanity in which there are no delusions.’<sup>519</sup> Yet it may be that he did not support the idea

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<sup>516</sup> L. F. Winslow, *Mad Humanity: Its Forms Apparent and Obscure* (London: C. A. Pearson, Ltd., 1898), p. 81. Also, Baker, ‘Some Points’, p. 367; Henry Maudsley, *The Physiology and Pathology of Mind* (London: Macmillan & Co., 1867), pp. 411-412.

<sup>517</sup> D/H14/D2/2/1016, medical report, December 1892.

<sup>518</sup> D/H14/D2/2/1/1011, letter, February 1882.

<sup>519</sup> William Orange, ‘An Address on the Present Relation of Insanity to the Criminal Law of England’, *BMJ*, 13 October 1877, 509-511 (p. 510).

that convicts could be morally insane.<sup>520</sup> This was a view held by Nicolson who in 1875 wrote:

The legitimate idea of moral *insanity* [...] is one that will rarely if ever find support in prison experience. And why? In the first place, the habitual criminal whose moral defection is in question in all probability never reached any reasonably complete stage of moral *sanity*; and secondly, prison life does not afford scope for that revulsion of social and domestic feeling which marks the new phase of character and conduct in him who has *become* a moral lunatic. The prisoner may be [...] [a] moral imbecile, but it is not to prison that we would go to look for that moral insanity which is found in the outer world.<sup>521</sup>

The reluctance to label recidivists morally insane represents a move to more degenerationist ideas of insanity, but it was also tied up with the question of responsibility. In 1892 John Baker observed: 'Bad these men are, but surely not mad in the strict sense of the term. We have not educated ourselves up to the point where we can say of the habitual criminal that he is morally insane, and, therefore, irresponsible.'<sup>522</sup>

#### **IV. Insane Convicts at Broadmoor**

This section provides an overview of some contemporary theoretical discussions of the criminal before going on to examine how convicts were depicted in the Broadmoor records and treated within the asylum.

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<sup>520</sup> The term moral insanity, coined by James Cowles Prichard in 1835, referred to a perversion of the feelings rather than the intellect and no delusions were present in the affected. It was also known as a 'lesion of the will' and was invoked during the 1840 trial of Edward Oxford. Joel Eigen, 'Lesion of the Will: Medical Resolve and Criminal Responsibility in Victorian Criminal Trials', *Law & Society Review*, 33:2 (1999), 425-459. Orange and Nicolson both advised caution regarding moral insanity. Orange told the British Medical Association that the 'term moral insanity is [...] better avoided in a criminal court of law' because of the difficulties surrounding its diagnosis. And Nicolson told the Medico-Psychological Association that moral insanity 'is a subject that can [...] be made too much of, [...] if we were to allow the term to be too influential in our minds, we would be thwarting justice and cutting our own throats as men who were endeavouring to carry out scientific ideas; so that instead of carrying weight in the courts of law we would be laughed at.' William Orange, 'An Address on the Present Relation of Insanity to the Criminal Law of England', *BMJ*, 20 October 1877, 553-554 (p. 553); 'Medico-Psychological Association', *Journal of Mental Science*, 37 (1891), 481-489 (pp. 482-483).

<sup>521</sup> Nicolson, 'Morbid Psychology' (July 1875), p. 234.

<sup>522</sup> Baker, 'Some Points', p. 365.

### a) The Criminal in Theory

The publication of Lombroso's *The Criminal* (1876) established criminal anthropology as an independent science. Lombroso believed that there existed a criminal type: a man or a woman with a specific anatomical configuration.<sup>523</sup> Criminal anthropology had a limited following in Britain. In his *The Criminal*, Henry Havelock Ellis criticised Lombroso for his style, impetuosity, and lack of critical analysis, but believed that it would be 'idle to attempt to deny [the] importance of a 'morbid element' in criminality.<sup>524</sup> He wrote of the size and shape of criminals' heads, of their cranial abnormalities, prominent jaws and cheek-bones, of their receding chins, and of their teeth, nose, ears and beards.<sup>525</sup> And W. D. Morrison asked:

Has the criminal any bodily [...] characteristics which differentiate him from the ordinary man? [...] Does he possess a peculiar confirmation of skull and brain? Is he anomalous in face and feature, in intellect, in will, in feeling? Is he, in short, an individual separated from the rest of humanity by any set or combination of qualities which clearly mark him off as an abnormal being?<sup>526</sup>

To Morrison the answer appears to have been yes: 'it is highly probable that a distinct criminal type [...] exists.'<sup>527</sup> Yet despite such observations, by the mid-late 1890s there was a general feeling amongst medical and legal professionals that criminal anthropology was of little relevance. The research undertaken for this thesis supports the argument that 'the English never fully accepted the idea that criminals were a separate species of mankind.'<sup>528</sup>

In 1892, Baker, who at this time was PMO at Portsmouth, wrote, 'No safe diagnostic evidence of the criminal nature can be evolved from head measurements, or

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<sup>523</sup> Cesare Lombroso, *Crime: Its Causes and Remedies*, trans. by Henry P. Horton (London: William Heinemann, 1911).

<sup>524</sup> Henry Havelock Ellis, *The Criminal*, 2<sup>nd</sup> edn (London: Walter Scott Ltd., 1895), p. 227.

<sup>525</sup> Ibid., pp. 49. 52. 63-67. 70. 72-73. Also, 'The Ear in Criminals', *Lancet*, 25 January 1890, p. 189.

<sup>526</sup> Morrison, *Crime*, p. 187.

<sup>527</sup> Ibid.

<sup>528</sup> Radzinowicz and Hood quoted in Daniel Pick, *Faces of Degeneration: A European Disorder, 1848-1918* (Cambridge: Cambridge University Press, 1989), p. 179.

from the shape of the cranium.<sup>529</sup> And four-years later, now PMO at Pentonville, Baker criticised attempts to ‘draw an analogy between the Italian criminal and his English prototype’ and wrote about the ‘extravagant views’ held by criminal anthropologists: ‘Receding foreheads, square chins, large ears, and tattoo marks are but poor data on which to base pathological criminality.’<sup>530</sup> In 1895 Nicolson delivered his Presidential Address before the Medico-Psychological Association. Based on ‘nearly 30 years’ work in prisons and in Broadmoor he robustly rejected criminal anthropology.<sup>531</sup>

I object to the criminological method because it is not only useless, but misleading [...] I hope the day will never come when, in our official examination into the mental condition of suspected persons, or persons lying in prison upon a criminal charge, we as medical men will be expected to produce our craniometer for the head measurements, and to place reliance upon statistical information as to the colour, size or shape of any organ. A man is sane or insane, criminal or lunatic, apart from and without regard to such sources of information.<sup>532</sup>

He believed that the anthropological method was destined to fail because it ‘does not include circumstance and motive in the computation, and [...] without these no standard of capacity, or of conduct, or of responsibility can be regarded as [...] possible.’<sup>533</sup>

Generally, Nicolson’s audience agreed with him.<sup>534</sup> Dr Conolly Norman, for instance, declared:

If a man has not a perfectly-chiselled ear or a Grecian nose, if he has learned, when a boy, to tattoo his arm, he is hopeless. Everything that evolution, culture, training and education can do for him is of no avail, for behold his nose is a little crooked and the lobe of his ear is adherent to his cheek! It really is astounding the vogue that this puerile nonsense has obtained.<sup>535</sup>

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<sup>529</sup> Baker, ‘Some Points’, p. 368. Baker was not the only PMO to measure criminals’ heads, Davie, *Tracing*, p. 144.

<sup>530</sup> John Baker, ‘Insanity in English Local Prisons’, *Journal of Mental Science*, 42 (April 1896), 294-304 (p. 294).

<sup>531</sup> Nicolson, ‘Presidential Address’, p. 579.

<sup>532</sup> *Ibid.*, p. 580.

<sup>533</sup> *Ibid.*, p. 581.

<sup>534</sup> Alienist Thomas Clouston questioned Nicolson’s position: ‘to say that the mass of criminals in this country are merely criminals by want of opportunity [...] by want of education, and not by their organization, is absolutely contrary to the results of psychological investigation for the last fifty years.’ *Ibid.*, p. 589.

<sup>535</sup> *Ibid.*, p. 590.

The views expressed at this meeting tended to correspond with the general medical consensus in late-nineteenth century Britain: that not all criminals were physically marked.<sup>536</sup>

There was some debate regarding whether criminals were born or made. In the 1870s, Maudsley viewed the insane as the ‘inevitable spin off in the stern and remorseless process of evolutionary struggle.’<sup>537</sup> Criminals, on the other hand, were a presumed product of their inheritance.<sup>538</sup> Nicolson drew from Maudsley when he advised that ‘the existence of this unavoidable “tyranny of (criminal) organization” must be considered.’<sup>539</sup> By the time he delivered his Presidential Address, Nicolson had come to the conclusion that not all criminals were born and spoke of the importance of environmental factors: ‘I believe the lower-class child would be taught to adapt itself to the higher level of its surroundings, just as the better-born child would run the risk of becoming criminal-minded or criminal under the influence and training that attach to its existing conditions of life.’<sup>540</sup> Other alienists agreed that criminals were both born and made. Following Nicolson’s Address, the former Broadmoor Superintendent, William Orange, stated:

With regard to the question as to how much crime may be due to training and how much to natural propensity, it seems to me that the principle applied by an old theologian to prayer and works hold good, viz., you ought to pray as if everything depended on prayer, and work as if everything depended on work. So with regard to training, as compared to the germ we all bring into the world with us – both have to be considered and each has its influence.<sup>541</sup>

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<sup>536</sup> Some individuals who supported Nicolson’s views held dual positions on the question of the criminal. Davie, *Tracing*, p. 142.

<sup>537</sup> Pick, *Faces of Degeneration*, p. 208.

<sup>538</sup> Henry Maudsley, *Body and Mind: An Inquiry Into Their Connection and Mutual Influence, Specially in Reference to Mental Disorders being the Gulstonian Lectures for 1870, delivered before the Royal College of Physicians* (London: Macmillan, 1870), pp. 52-53. Maudsley’s views on the criminal and on crime are well documented. See, Davie, *Tracing*, pp. 80-86; Pick, *Degeneration*, pp. 206-211.

<sup>539</sup> Nicolson, ‘Morbid Psychology’ (July 1875), p. 233. In his *Body and Mind* (1870), Maudsley declared, ‘No one can escape the tyranny of his organization; no one can elude the destiny that is innate in him’, p. 69. Also, Maudsley, *The Pathology of Mind: A Study of its Distempers, Deformities, and Disorders* (London: Macmillan and Co., 1895), p. 78.

<sup>540</sup> Nicolson, ‘Presidential Address’, p. 577.

<sup>541</sup> *Ibid.*, p. 588.



Likewise, John Baker, George Henry Savage and Maudsley believed that both heredity and environmental factors needed to be considered when searching for the cause of crime.<sup>542</sup>

Throughout the late-Victorian period there was much discussion about the existence of an underclass (a social residuum) which included concern about the existence of a criminal class; a concern which Daniel Pick writes was based partly on fears that ‘delinquency was [...] a social blight which undermined the national situation as a whole.’<sup>543</sup> The habitual criminal was considered particularly problematic and the threat they posed was perceived in gendered terms.<sup>544</sup> Viewed as primarily male, the recidivist was believed by others to fall short of true manhood in a number of ways. First, by the crimes he committed, which David G. Barne, Susan Broomhall and Angus McLaren observe, automatically placed men outside the bounds of civilisation.<sup>545</sup> Second, the idle and unindustrious nature of recidivists suggested to some commentators that they actively rejected the responsibilities placed upon men to work and provide for their families. This, as Claudia Nelson writes, was perceived as ‘an act of violence against society.’<sup>546</sup> Finally, his presumed low mental and physical type suggested that he was less of a man.

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<sup>542</sup> Baker, ‘Some Points’, p. 369; George Henry Savage, ‘The Influence of Surroundings on the Production of Insanity’, *Journal of Mental Science*, 37 (1891), 529-535 (p. 532); Henry Maudsley, ‘Criminal Responsibility in Relation to Insanity’, *Journal of Mental Science*, 41 (October 1895), 657-674 (p. 663).

<sup>543</sup> Pick, *Degeneration*, p. 178. Also, J. J. Tobias, *Crime and Industrial Society in the Nineteenth Century* (Middlesex: Penguin, 1967), pp. 59-87. Scholars have questioned the existence of a separate criminal class, Clive Emsley, *Crime and Society in England 1750-1900*, 3<sup>rd</sup> edn (London: Pearson Longman, 2005), p. 178.

<sup>544</sup> Davie shows that it was not until the Edwardian period that the female criminal was scrutinised by criminologists. *Tracing*, pp. 19-20.

<sup>545</sup> Susan Broomhall and David G. Barrie, ‘Introduction’, in *A History of Police and Masculinities, 1700-2010*, ed. by Susan Broomhall and David Barrie (Oxon: Routledge, 2012), pp. 1-34 (p. 19); Angus McLaren, *The Trials of Masculinity: Policing Sexual Boundaries, 1870-1930* (Chicago and London: The University of Chicago Press, 1997), p. 14.

<sup>546</sup> Claudia Nelson, *Precocious Children and Childish Adults: Age Inversion in Victorian Literature* (Baltimore, Maryland: The Johns Hopkins University Press, 2012), p. 55.

From the 1850s the habitual criminal was alleged to differ from other classes of criminal.<sup>547</sup> Mayhew and Binney depicted recidivists as lazy and attributed petty crime to an ‘innate love of a life of ease, and aversion to hard work [...] accompanied with a lawlessness of disposition as well as a disregard for the rights of our fellow-creatures.’<sup>548</sup> It was the late 1860s and 1870s that witnessed a particularly damning image of the habitual criminal emerge and it was one couched in the language of science, sociology, and anthropology rather than the moralistic language of Mayhew.<sup>549</sup> Moreover, although overall crime rates dropped in the last quarter of the nineteenth century, there was a consensus that habitual crime was getting worse and legislation was passed to distinguish the punishment of convicts based on their past behaviour. In 1869 The Habitual Criminals Bill was introduced, followed by the Prevention of Crimes Act in 1871.<sup>550</sup>

With the rise of evolutionary theory the language of crime was recast, and ideas regarding habitual criminality were partly supported by theories of mental and bodily degeneration.<sup>551</sup> In 1875, Dr Edmund Du Cane, chairman of the Prison Commission, described recidivists’ characteristics as being

entirely those of the inferior races of mankind – wandering habits, utter laziness, absence of forethought or provision, want of moral sense, cunning [...] and instances may be found in which their physical characteristics approach those of the lower animals so that they seem to be going back to the type of what Professor Darwin calls “our arboreal ancestors”.<sup>552</sup>

In his ‘The Morbid Psychology of Criminals’ (1873) Nicolson described the recidivists ‘unmistakeable *physique*’ and their ‘animal expression’; they represented the ‘fearful

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<sup>547</sup> Pick, *Degeneration*, pp. 182-183.

<sup>548</sup> Mayhew and Binney, *Criminal Prisons*, pp. 385-386.

<sup>549</sup> For the recidivist, Barry Godfrey, David Cox and Stephen Farrall, *Serious Offenders: A Historical Study of Habitual Criminals* (Oxford: Oxford University Press, 2010).

<sup>550</sup> Under the 1869 Bill, a person convicted of a crime but not sentenced to penal servitude was required to spend seven years under police supervision to ensure they were making an honest living. The 1871 Bill introduced photography as a means of identification and allowed tighter supervision of ex-convicts: a register was kept of every convicted man, and a man discharged on a ticket-of-leave could have his discharge revoked if it was suspected that he was living dishonestly.

<sup>551</sup> Pick, *Degeneration*, p. 183.

<sup>552</sup> Quoted in Wiener, *Reconstructing*, p. 300.

falling away of humanity' and belonged to the 'lower end of the mental range.'<sup>553</sup>

Maudsley made a similar remark in his *Body and Will* (1884): recidivists were 'malformed or deformed in part or whole of body' and were deficient in self control, insubordinate and unable 'to apply themselves to steady and systematic work.'<sup>554</sup> Indeed, one of the main concerns surrounding the recidivist was his presumed unfitness to participate 'in the working of the modern industrial machine.'<sup>555</sup> According to Morrison, 'no state will ever get rid of the criminal problem unless its population is composed of healthy and vigorous citizens. Very often crime is but the offspring of degeneracy and disease [...] stunted and decrepit faculties [...] either vitiate the character, or unfit for the battle of life.'<sup>556</sup>

#### **b) The Criminal in Practice**

Theoretical representations of the habitual criminal portrayed them as amoral and uncivilised. They were not industrious, they failed to control their passions and they were physically weak and deformed. The demarcation of the criminal from 'ordinary' men, as described through the publications of Du Cane, Maudsley, Morrison and Broadmoor's Superintendents, was reflected at Broadmoor. This is evident through an examination of the language used to describe convicts by the Superintendents and Lunacy Commissioners in their medical and Annual Reports, and through the physical separation of convicts from Queen's pleasure patients. The belief that convicts were lesser men and their demarcation from the insane is reflected further in Queen's pleasure patients' own

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<sup>553</sup> Nicolson, 'Morbid Psychology' (1873), p. 224. He made similar remarks two-years later in 'Morbid Psychology' (July 1875), pp. 228-229. Also, J. Bruce Thomson, 'The Effects of the Present System of Prison Discipline on the Body and Mind', *Journal of Mental Science*, 12 (October 1866), 340-348 (p. 341).

<sup>554</sup> Henry Maudsley, *Body and Will: Being an Essay Concerning Will in its Metaphysical, Physiological, and Pathological Aspects* (New York: D. Appleton and Company, 1884), pp. 276. 277.

<sup>555</sup> Pick, *Degeneration*, p. 183.

<sup>556</sup> Morrison, *Crime*, pp. vii-viii. Similarly, Henry Maudsley wrote, 'crime and madness are both antisocial products of degeneracy', *Pathology*, p. 78.

evaluations of this class, thus suggesting that it was not only in medical and scientific literature, the press and social commentary that the criminal was condemned.

An examination of medical reports and letters to and from the Superintendent suggests that convicts were considered more violent and disruptive than Queen's pleasure patients.<sup>557</sup> Just as PMOs described some allegedly insane criminals before their transfer to Broadmoor, the asylum's attendants, medical officers and Superintendents also depicted them in emasculating terms: they were idle, dirty and childish.<sup>558</sup> What is more, the majority of convicts in the asylum were, according to Orange, 'habitual criminals, whose whole lives have been antagonistic to the laws which govern and restrain the rest of mankind, and whose crimes have been in full conformity with their every-day habits.'<sup>559</sup>

The debased behaviour some convicts exhibited in prison reportedly continued in Broadmoor. There are reports of convicts throwing excrement around the asylum's dayrooms and of needing to be washed by the attendants after 'messaging themselves.'<sup>560</sup> One patient reportedly 'wets the bed by night and breeches by day, apparently too indifferent and lazy to use his chamber.'<sup>561</sup> In addition, their reportedly cunning nature was the presumed cause of a number of escapes from the asylum.<sup>562</sup> William Bisgrove had been permitted to go for a walk in the asylum grounds chaperoned by an attendant whom he encouraged to examine a rabbit hole. As he did so, Bisgrove reportedly 'struck him on the head with a large stone and after endeavouring to strangle him, left him on the

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<sup>557</sup> It was not just at Broadmoor insane convicts were reportedly disruptive, 'Criminal Lunatics in County Asylums', *BMJ*, 10 January 1874, p. 62.

<sup>558</sup> See the following case files, Alfred John Clarke, D/H14/D2/2/1/1440; Thomas Dean, D/H14/D2/2/1/986; George Gardiner, D/H14/D2/2/1/1503.

<sup>559</sup> Orange, *Reports of the Superintendent* (1874), p. 7.

<sup>560</sup> D/H14/D2/2/1/ 1466, memorandum (1892); D/H14/D2/2/1/1599, medical report.

<sup>561</sup> D/H14/D2/2/1/1440, medical report.

<sup>562</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the year 1873* (London: George E. Eyre and William Spottiswoode, 1874), pp. 5-11.

ground nearly insensible.’<sup>563</sup> An announcement was made to the press and to police stations around England and Wales, and a description of Bisgrove was circulated.<sup>564</sup> He was never found.

The Lunacy Commissioners initially requested that measures should be taken to make convicts’ stays at Broadmoor more comfortable.<sup>565</sup> This was not welcomed by the press who depicted Broadmoor’s convict population as uncivilised deviants: ‘for the most part [they are] habitual criminals, who have acquired habits of lawless violence, of antagonism to order, of contempt for honest work, and the use of language of the foulest description.’<sup>566</sup> The *Pall Mall Gazette* reacted particularly harshly to the recommendation and invoked the language of degeneration and moral contagion also found in popular novels of the *fin de siècle* to make its point:<sup>567</sup> ‘we need hardly pity the hardened habitual criminal who becomes insane’ and suggested that because convicts ‘exist as centres of moral infection, and causes of crime, violence, misery and danger to all around [...] it [would] be better and wiser’ to have carried out the death sentence.<sup>568</sup> The belief that recidivists were contagious was shared by Orange and Nicolson who appear to have shared the assumption of late nineteenth-century French alienists that moral contagion ‘acted primarily upon those whose defences had already been weakened and whose capacity for self-control was compromised.’<sup>569</sup> Orange feared that Queen’s pleasure patients would be ‘contaminated by the degraded habits and conversation of the criminal

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<sup>563</sup> Lunacy Commissioners’ Report (1873).

<sup>564</sup> D/H14/D2/2/1/614/14, description of Bisgrove.

<sup>565</sup> See various Lunacy Commissioners’ Reports, 1864-1873, D/H14/A1/1/1/1.

<sup>566</sup> ‘Criminal Lunatics’, *Bradford Observer*, 20 December 1873, p. 5.

<sup>567</sup> Pick, *Degeneration*, p. 172; Andrew Smith, *Victorian Demons: Medicine, Masculinity, and the Gothic at the Fin-de-Siècle* (Manchester and New York: Manchester University Press, 2004), pp. 34-41.

<sup>568</sup> ‘Life Imprisonment for Lunatics and Criminals’, *Pall Mall Gazette*, 6 September 1869. It was reported in the *BMJ*, ‘These lunatic convicts contaminate and offend, by their depraved language and habits, all the other patients with whom they come into contact.’ ‘Criminal Lunatics and Lunatic Convicts’, *BMJ*, 4 July 1874, 14-16 (p. 15).

<sup>569</sup> Christopher E. Forth, ‘Moral Contagion and the Will: The Crisis of Masculinity in Fin-de-Siècle France’, in *Contagion: Historical and Cultural Studies*, ed. by Alison Bashford and Claire Hooker (London: Routledge, 2001), pp. 61-75 (p. 63).

class' and Nicolson described the 'contagious evil influence' of insane convicts.<sup>570</sup> The notion that convicts were contagious made them more threatening than their criminal, cunning and violent behaviour already implied: it suggested that their immorality and bad habits were uncontrollable. The notion that convicts' behaviour was contagious can be linked back to the fears of association discussed in Chapter One and the presumed impact morally inferior company would have on the treatment of Queen's pleasure patients. It can also be linked to wider social and theoretical fears of the underclass and the perception that it was not only dangerous because of its perceived degeneracy, but because 'its existence served to contaminate the classes immediately above it.'<sup>571</sup>

To minimise the potentially hazardous effects of insane convicts a number of them were secluded. In 1873 the Lunacy Commissioners condemned and commented on the 'considerable increase in the number of instances of seclusion amongst the patients as compared with [...] last year.'<sup>572</sup> Orange explained that this had been necessary for the safety of patients and attendants. Indeed, convicts attacked their fellow patients and Broadmoor's staff on a level that was perceivably disproportionate to the attacks carried out by Queen's pleasure patients.<sup>573</sup> There are reports of convicts attacking attendants with their fists, bowls, plates, tea cups and bars of soap.<sup>574</sup> The case files are also full of

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<sup>570</sup> William Orange, *Reports of the Superintendent* (1873), p. 12 and *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the year 1872* (London: George E. Eyre and William Spottiswoode, 1873), p. 9; David Nicolson, *Reports Upon Broadmoor Criminal Lunatic Asylum, With Statistical Tables, For the Year 1889* (London: Eyre and Spottiswoode, 1890), p. 5.

<sup>571</sup> Gareth Stedman Jones quoted in John Welshman, *Underclass: A History of the Excluded, 1880-2000* (London: Hambledon Continuum, 2005), p. 2.

<sup>572</sup> Lunacy Commissioners' Report (1873).

<sup>573</sup> Nicolson, *Reports Upon Broadmoor* (1889), p. 5. In 1870, thirty-four attendants were attacked by patients, twenty-five of whom were insane convicts. William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the Year 1870* (London: George E. Eyre and William Spottiswoode, 1871), p. 9.

<sup>574</sup> For example, D/H14/D2/2/1/765/27, memorandum; D/H14/D2/2/1/1058/30, report on an assault; D/H14/D2/2/1/1331, memorandum, November 1889; D/H14/D2/2/1/1058/24, memorandum; D/H14/D2/2/1/1402, memorandum, July 1889; D/H14/D2/2/1/1393, memorandum, August 1891.

notes written by attendants regarding the ‘fighting attitude’ of convicts who abused and attacked other patients.<sup>575</sup>

The Lunacy Commissioners reported that a number of Queen’s pleasure patients ‘expressed their strong disapproval of having to associate with convicts, and thought it was an indignity to which they ought not to be subjected.’<sup>576</sup> It is shown in Chapter One that reasons for this ranged from objections to the crimes convicts had committed to their alleged sodomy in the asylum. In addition, there were patients who were reportedly afraid of associating with convicts on account of their violent behaviour. On one occasion, an attendant reported that Edward Wilkinson ‘made a violent attack on [another patient] – struck him on the side of the head – knocked him down and kicked him on the left side and underneath the ear.’ Afterwards, another attendant reported to Nicolson:

Several patients [...] protested strongly against Wilkinson being allowed out to exercise with them. Isaac Turner – who trembled with excitement said ‘you will be sorry for this yet [...] you conspire with the doctor to send that man out to injure some of us’ [...] [another patient] said ‘take me inside and let me go to bed. That fellow will kill some of us yet.’<sup>577</sup>

Orange observed that the violent behaviour of convicts ‘exemplifies the aggressive tendencies of many of [...] those belonging to [...] [this] class.’<sup>578</sup>

Given the vast differences between the two classes of patient it was only a matter of time before the Home Office’s attention was drawn ‘to the fact that [...] there are under the term “criminal lunatic” two very different classes of persons.’ Orange reported

the urgent need of [...] separation [of patients], which in the present defective plan and construction of the asylum, is unattainable, between that increasing class of patients from convict prisons, whose insanity has been mainly the result of a life of habitual crime [...]

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<sup>575</sup> For example, D/H14/D2/2/1/188/1, Schedule A; D/H14/D2/2/1/638/8, Schedule A; D/H14/D2/2/1/653/1, Schedule A; D/H14/D2/2/1/1528, ‘Statement’ and memorandum, May 1891.

<sup>576</sup> Lunacy Commissioners’ Report, in *Reports Upon Broadmoor* (1889), pp. 9-12 (p. 10).

<sup>577</sup> D/H14/D2/2/1/1440, attendant Carruthers’s report.

<sup>578</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum For The Year 1871* (London: George E. Eyre and William Spottiswoode, 1872), p. 11.

and that other class of patients, ordinarily well conducted, whose crimes have been the result of insanity.<sup>579</sup>

Whilst Lombroso viewed both criminals and the insane as evolutionary throwbacks and attempted to reduce the intellectual distance between the two groups, Orange and Nicolson came to view convicts and the insane as two distinct groups who required separation; a view Nicolson appears to have kept following his retirement from Broadmoor, for in his Presidential Address he declared, ‘A man is [...] criminal or lunatic.’<sup>580</sup>

There had long been discussions in Parliament and between Lunacy Commissioners and Broadmoor’s Superintendents about whether convicts should be incarcerated at Broadmoor and the extent to which they should be allowed to associate with Queen’s pleasure patients. In May 1860, the Lunacy Commissioners reported the result of their examination of the draft Criminal Lunatics Act to the Home Secretary. Perhaps basing their conclusions on the reservations of MPs, journalists, asylum Superintendents and prison governors, all of whom objected to the association of criminals and the insane, as discussed in the Introduction, they stated that the reception of convicts into Broadmoor ‘would be most objectionable, and [...] the proper place for the[m] [...] would be an institution [...] in connection with convict prisons.’<sup>581</sup> Yet, not long after Broadmoor opened, the Lunacy Commissioners declared, ‘it is the matter of the gravest doubt whether insane persons of the criminal class [...] should be treated

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<sup>579</sup> Orange, *Reports of the Superintendent* (1873), p. 13.

<sup>580</sup> Nicolson, ‘Presidential Address’, p. 580. Whether criminals were insane was the cause of some debate. Some alienists, including Charles J. Cullingworth, believed that it was difficult to distinguish crime from insanity. Others wrote of recidivists’ ‘defective’ minds but stopped short of labelling the class insane. S. W. North believed that habitual criminals were ‘not insane’ because ‘such men not only fully know the nature and quality of their acts, but dread and shrink from punishment, and take every means to avoid it if possible. Theirs is the insanity of bad habit, and not disease.’ Charles J. Cullingworth, ‘The Responsibility of the Insane’, *Lancet*, 17 October 1885, 708-712 (p. 709); S. W. North, “‘Insanity and Crime’”: Paper Read Before the York Law Students’ Society’, *Journal of Mental Science*, 32 (July 1886), 163-181 (p. 170); Nicolson, ‘Morbid Psychology’ (1873), pp. 225. 226 and ‘The Measure of Individual and Social Responsibility in Criminal Cases’, *Journal of Mental Science*, 24 (April 1878), 1-25 (p. 19).

<sup>581</sup> Lunacy Commissioners’ Report (1873).



differently from other patients.<sup>582</sup> But the behaviour and presumed natural propensities of convicts meant they were considered radically different to Queen's pleasure patients, and when Orange succeeded Meyer as Superintendent he initiated great change at Broadmoor: he separated Queen's pleasure patients and insane convicts because he believed that 'unrestricted association leads to the [...] further deterioration, morally, of the patients.'<sup>583</sup> After years of observing the violent and abusive nature of insane convicts in Broadmoor and hearing damning testimonies from the Superintendents and Queen's pleasure patients regarding their behaviour, the Lunacy Commissioners agreed.

Although he viewed criminals and the insane in a similar light, Lombroso, an advocate of criminal lunatic asylums, admired Orange's efforts to separate the classes.<sup>584</sup> He reported that there had been a reduced number of attacks made against attendants and that the conditions at Broadmoor had 'greatly improved' since the disassociation of the two classes.<sup>585</sup> This observation was partly true but the evidence indicates that the separation of classes was insufficient and Broadmoor's resources were, as Orange later reflected, 'strained beyond the limits of prudence' in the attempt to treat both classes of patient.<sup>586</sup> The Lunacy Commissioners were seemingly in agreement and expressed the opinion, as is discussed at the beginning of this chapter, that insane convicts and Queen's pleasure patients should be incarcerated in different institutions.<sup>587</sup> In 1874 it was decided

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<sup>582</sup> D/H14/A1/1/1/1, Lunacy Commissioners' Report (1868).

<sup>583</sup> Orange, *Reports of the Superintendent* (1873), p. 13.

<sup>584</sup> Lombroso supported the use of criminal lunatic asylums: 'Criminal insane asylums are the only solution for insane criminals and for those numerous born criminals on whom epilepsy and moral insanity causes violent fits [...] In addition, criminal insane asylums would reduce recidivism, the cost of additional trials, and the number of imitative crimes. I recommend special types of criminal insane asylums for alcoholics, epileptics, and those with pellagra.' *Criminal Man* (1896-97) trans. by Mary Gibson and Nicole H. Rafter (Durham and London: Duke University Press, 2006), pp. 347-348. Lombroso also described the criminal lunatic asylum as an 'institution which [...] [is] destined to promote harmony between humanitarian impulses and [...] the safety of society'. *Crime: Its Causes and Remedies*, p. 397.

<sup>585</sup> Lombroso, *Crime: Its Causes and Remedies*, p. 403.

<sup>586</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the year 1876* (London: George E. Eyre and William Spottiswoode, 1877), p. 7.

<sup>587</sup> It was proposed in the *BMJ* that insane convicts should be kept in a separate institution where they could receive specialised treatment. 'Criminal Lunatics and Lunatic Convicts', p. 15.

that insane convicts should be incarcerated at Woking Prison instead of Broadmoor.<sup>588</sup>

This meant that through death, transfer or discharge, the numbers of convicts in the asylum gradually declined.<sup>589</sup> Intellectual distinctions between different types of insanity (that which led to criminal acts and that which was, in some cases, presumed to be caused by criminal acts) thus mapped onto logistical, practical and physical acts of segregation. It is perhaps no coincidence that Broadmoor's stance towards convicts appears to have been changing at the same time damning images of the criminal were emerging in scientific and legal discourse. An examination of the Addresses, publications and Annual Reports of Orange and Nicolson suggests that they shared many of the same views as men such as Du Cane and Maudsley.

The positive effects on asylum life as a result of the prohibition of convicts were soon realised. The Lunacy Commissioners reported that there was 'less bad language [...] [and] fewer attacks by patients on each other take place, as shown by the comparative absence of bruises, and in all respects [patients] have become more manageable.'<sup>590</sup> As the years passed they continued to comment on the 'improvement' in Queen's pleasure patients' demeanours, and in doing so inadvertently confirmed the presumed hazardous effects of associating the two classes of patients.<sup>591</sup> It was not to last, however. An examination of Home Office records indicates that contention existed regarding the committal of insane convicts at Woking. Some, including the Lunacy Commissioners, questioned the legality of housing insane convicts in a prison rather than a legally recognised criminal lunatic asylum.<sup>592</sup> Others believed Woking was unsuitable to house

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<sup>588</sup> NA, HO45/9525 32338/21, memorandum.

<sup>589</sup> Convicts were still sent to Broadmoor just before their sentence expired so that they 'may be passed from Broadmoor to the asylum of locality within which the offence was committed.' NA, HO45/9525 32338/22, notes of the Criminal Lunacy Commission (1882). Also, D/H14/A1/1/1/2/3/4, Lunacy Commissioners' Report (1878), p. 9.

<sup>590</sup> D/H14/A1/1/1/2/1/1, Lunacy Commissioners' Report (1875).

<sup>591</sup> D/H14/A1/1/1/2/3/4, Lunacy Commissioners' Report (1878).

<sup>592</sup> Notes of the Criminal Lunacy Commission.

insane convicts and one contemporary reported to the Home Office: ‘no alterations can make Woking prison as good or convenient place for the treatment and detention of the insane as Broadmoor.’<sup>593</sup> In 1886 it was decided to discontinue the occupation of Woking by insane convicts and the following year work began at Broadmoor to construct a Block specifically for convicts in preparation for their re-admission into the asylum.<sup>594</sup> In October 1888 the transfer of convicts back to Broadmoor began. The ill-effects were felt almost immediately and the asylum reportedly witnessed an increase in the ‘proportion of restless, turbulent, and viciously disposed inmates.’<sup>595</sup>

In 1889 Nicolson was attacked by a convict, an incident the Lunacy Commissioners used as evidence to argue that ‘criminal convicts [...] add much to the danger of those in authority.’ They recommended ‘with a view to prevent patients obtaining and secreting dangerous weapons or missiles, [...] that the airing-courts used as exercise ground by the more dangerous patients, be asphalted’; this recommendation was accepted.<sup>596</sup> In an effort to once again limit the perceived disruption caused by convicts, they were kept ‘practically by themselves’ and a large number of them were secluded.<sup>597</sup>

The separation (and later segregation) of Broadmoor’s two classes of patient belonged to an increasingly antagonistic discourse regarding the criminal. The separation of patients in order to prevent moral contagion was the first step towards the complete exclusion of convicts, first through their transfer to Woking and second through the construction of a separate Block at Broadmoor to accommodate them. The isolation of patients not only indicates how ideas about different types of insanity were mapped onto

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<sup>593</sup> NA, HO45/9525 32338/20, letter to the HO.

<sup>594</sup> For discussions on the extension of Broadmoor, see various letters and memorandums, NA, HO45/9525 32338.

<sup>595</sup> Nicolson, *Reports Upon Broadmoor* (1889), p. 5. For violent patients, D/H14/D2/2/1/1393, memorandum, May 1895; D/H14/D2/2/1/1542, memoranda, January 1903 and July 1895.

<sup>596</sup> Nicolson, *Reports Upon Broadmoor*, p. 7; Lunacy Commissioners’ Report in Nicolson, *Reports Upon Broadmoor*, pp. 9-12 (p. 10).

<sup>597</sup> Nicolson, *Reports Upon Broadmoor*, p. 5.

the asylum, as I have already suggested, but also how broader societal concerns from the 1880s regarding the existence of a residuum were reflected at the institution. The criminal man, whose innate unindustrious, cunning and menacing nature was deemed contagious and a threat to the functioning of society, was also deemed a threat to the recovery of hard-working and previously industrious men at Broadmoor, as well as the general running and functioning of the asylum. The irredeemable recidivist was thus separated from the hard-working working and middle classes in both social and anthropological discourse and at the asylum.<sup>598</sup>

## **V. In and out of Broadmoor**

There were clear distinctions made between Broadmoor's convicts: most were considered to be habitual criminals, but some others, according to the medical officers and Superintendents, were already insane when they committed their crimes and had been failed by the legal process. Such distinctions appear to have had some bearing on the likelihood of a convict's discharge from the asylum.

Insane convicts left Broadmoor in one of three ways: their sentences expired and they were transferred insane to a county asylum; they were declared sane and sent back to prison to serve the remainder of their sentence; or they were subject to the same rules as Queen's pleasure patients and discharged following a petition to the Home Office.<sup>599</sup> The latter happened to child-murderer Michael Murphy who, according to Broadmoor's medical officers, was insane at the time of his offence. Transferred to Broadmoor from

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<sup>598</sup> It was not only at Broadmoor that the so-called residuum was separated from the rest of the asylum population. Peter Bartlett, 'The Asylum and The Poor Law: The Productive Alliance', in *Insanity, Institutions and Society, 1880-1914: A Social History of Madness in Comparative Perspective*, ed. by Joseph Melling and Bill Forsythe (London: Routledge, 1999), pp. 48-67 (p. 58).

<sup>599</sup> Why this happened in some cases and not in others is unclear. Regardless of how convicts left Broadmoor, the Home Secretary signed a warrant sanctioning their transfer or discharge, and Broadmoor's Superintendent signed a 'Notice of Discharge' thereby ending a convict's term as a criminal lunatic. D/H14/D2/2/1/1449, warrant for discharge and 'Notice of Discharge'.

Millbank in 1879, Murphy's brothers, who lived in New York, petitioned for his release.<sup>600</sup> In 1885 Broadmoor's medical officers reported, 'on admission [...] he was found to be nervous [and] emotional [...] since then he has continued to work steadily at his employment being cheerful and rational showing no delusions or other indications of insanity.'<sup>601</sup> Murphy had thus exhibited and had maintained those 'manly' attributes (most) patients had to demonstrate before they were discharged, as discussed in Chapter Two. Murphy was absolutely discharged from Broadmoor in February 1886.<sup>602</sup> He set sail from Liverpool for New York on the White Star Line's S. S. Adriatic, and was met off the ship by his brothers.<sup>603</sup> Sole offenders such as Murphy never saw Broadmoor again.<sup>604</sup> Others, generally those classed as recidivist, were not so fortunate.

Referring to the recidivist Morrison made the following observation:

A society based upon the principle of individual liberty is a society of which the members are supposed to be gifted with the virtues of prudence, industry, and self-control; virtues of this nature are indeed essential to the existence of such a form of society. Unfortunately, a certain portion of its members do not possess them [...] and no amount of seclusion in prison will ever confer these qualities upon them.<sup>605</sup>

Nor, it was presumed, would any amount of treatment at Broadmoor. Moral treatment, which was used to treat all patients, was found to be an ineffective method of treating the habitual criminal. Both Nicolson and Maudsley believed that criminals (particularly the weak-minded and recidivists) were unable and unwilling to work and were unteachable.<sup>606</sup> In practice, this appeared to be the case. It is shown in Chapter Two that teaching was abandoned at Broadmoor (the convict class were particularly unwilling to participate), in addition, the unindustrious nature of recidivists was reported on by the

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<sup>600</sup> D/H14/D2/2/1/975/28, letter to Orange.

<sup>601</sup> D/H14/D2/2/1/975/34, medical report.

<sup>602</sup> D/H14/D2/2/1/975/44, warrant of absolute discharge; D/H14/D2/2/1/975/47, medical report.

<sup>603</sup> D/H14/D2/2/1/975/45-47, details on Murphy's passage to New York.

<sup>604</sup> Given that Murphy was discharged to America it is unsurprising that he never saw Broadmoor again. He may have committed more offences abroad but whether this was the case remains unknown.

<sup>605</sup> Morrison, *Crime*, pp. 225-226.

<sup>606</sup> Maudsley, *Pathology of Mind*, p. 337; Nicolson, 'Morbid Psychology' (1874), p. 178.

Superintendents, medical officers and Lunacy Commissioners. Unlike Queen's pleasure patients who could be restored into the 'ordinary' men they once were, it was seemingly presumed that recidivists were never, and could never be, normal men; they were reportedly congenitally physically and mentally defective. They were childish because they were perceived to be degenerate and not because they had suffered insurmountable hardships in life, unlike some Queen's pleasure patients.<sup>607</sup> The fatherly and brotherly influence of the Superintendents and attendants, as discussed in Chapter Two, was thus ineffective.

An examination of the admissions registers flags up a number of convicts who were re-admitted to Broadmoor after committing further crimes; sometimes more than once and often under an alias.<sup>608</sup> Recidivists returned to Broadmoor because they continued to commit criminal acts and were a nuisance to society. They returned because they were considered deviant and criminal, as opposed to the Queen's pleasure patients discussed in Chapter One, who sometimes returned because they were perceived, and perceived themselves to be, struggling to meet the demands of living a good and steady life.

Abraham Thompson's case illustrates the difficulties surrounding the discharge of some convicts from Broadmoor. Four years after his committal, Thompson was conditionally discharged to the care of his wife, Rose, who despite the fact that he had previously tried to murder her, was 'very soliticious for his release and promised to look

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<sup>607</sup> For crime and degeneracy, Maudsley, 'Criminal Responsibility', p. 670. In his *Degeneration*, published in English in 1895, Nordau wrote that 'the degenerate man remains a child all his life'. Quoted in Nelson, *Precocious Children*, p. 55. Likewise, in his *Criminal*, Henry Havelock Ellis declared, 'the criminal is an individual who, to some extent, remains a child his life long', p. 214.

<sup>608</sup> For example, D/H14/D2/2/1/1581, John Jones's case file; D/H14/D2/2/1/1058, Thomas Kelly's case file. William Heaps was readmitted under William Arthurs, D/H14/D2/1/1/669 and 1363; Daniel Green was readmitted twice under John Jackson and Edward Williams, D/H14/D2/2/1/1676, 1016 and 1524. William Riley was readmitted under John Brown, D/H14/D2/2/1/682 and 1136. George Jones was readmitted under George Watkins, D/H14/D2/2/1/897 and 479. William Smith was readmitted under William Hunt, D/H14/D2/2/1/1335 and 1514. Charles Williams had a variety of aliases, D/H14/D2/2/1/612.

carefully after him and report periodically as to his condition.’<sup>609</sup> The reports were initially favourable but in 1892 Rose told Nicolson that Thompson had been ‘drinking intoxicating liquors’ and ‘is very hard to manage when in drink.’<sup>610</sup> The Home Office issued a warrant for Thompson’s arrest and he was readmitted to the asylum.<sup>611</sup> One month following her husband’s readmission, Rose wrote to Nicolson to tell him she was no longer planning on living with him because he had been unfaithful, quarrelsome, neglectful and intemperate. She asked, ‘any time you feel justified in giving him his liberty [...] give me due notice of his release, as I intend to go to America before he returns.’<sup>612</sup> This does not appear to have happened. Two years later Thompson was discharged on the condition that he would not visit his wife.<sup>613</sup> Six months later Nicolson received another letter from Rose: ‘I write to inform you that my husband has been here armed with a pistol and it was only after a long time it could be taken from him and he be got out of the house.’<sup>614</sup> The Home Office issued two warrants: a revocation of Thompson’s discharge and one for his arrest.<sup>615</sup> Thompson was sent back to Broadmoor. In April 1899, just before his sentence was due to expire, Thompson petitioned the Home Office for his discharge. In a letter that accompanied the petition, Richard Brayn told the Home Office that Thompson had been declared insane during a meeting of the Council with the view to his removal to the Hull Borough Asylum:

He is very plausible and quite capable of concealing his real feelings and opinions, and I have no doubt he will regulate his conduct in the Asylum with the object of obtaining his discharge at an early date: and in view of the possibility of his being successful, I think it might be advisable that the police of Hull should be informed of his transfer, as would be the case were he discharged from Prison to their district.<sup>616</sup>

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<sup>609</sup> D/H14/D2/2/1/1699, letter to the HO, 4 August 1893.

<sup>610</sup> Ibid.

<sup>611</sup> D/H14/D2/2/1/1699, warrant revoking discharge and warrant for his arrest, January 1893.

<sup>612</sup> D/H14/D2/2/1/1699, letter to Nicolson. There is no record of a reply.

<sup>613</sup> D/H14/D2/2/1/1699, notes on case.

<sup>614</sup> D/H14/D2/2/1/1699, letter from Rose.

<sup>615</sup> D/H14/D2/2/1/1699, warrant for Thompson’s arrest.

<sup>616</sup> D/H14/D2/2/1/1699, letter to the HO.

Brayn was so concerned about Thompson's potential plans if he were ever to be released that he told the Superintendent of Hull asylum that Thompson was being transferred as a pauper lunatic to avoid discharging him. He warned him that Thompson

will no doubt try to regulate his conduct and conversation with a view to obtaining discharge from the Asylum. I am of opinion [...] that his feelings towards his wife continue to be morbid and vindictive, and I consider that his discharge would be attended with considerable risk [...] as his sentence expires at the end of this month, there is no authority for his further detention in a Criminal Asylum, and he is therefore transferred to your Asylum as a pauper lunatic.<sup>617</sup>

It was seemingly apparent to Broadmoor's authorities that Thompson could not be discharged without the threat of committing further crimes; his hatred and obsession towards his wife, as well as his criminality were, to the medical officers and to Brayn, seemingly rooted within him, just as some alienists believed was the case. This highlights a contrast between the treatment of convicts and Queen's pleasure men who, as Chapter Four shows, were sometimes discharged even if there was a threat they would relapse into insanity and commit further crimes.

## **VI. Conclusion**

This chapter has offered an alternative perspective on the question of the depiction and treatment of the criminal in Victorian Britain; primarily the committal of convicts to, and their treatment within, a criminal lunatic asylum. It is suggested that scientific, legal, medical and journalistic representations of the criminal were echoed in the asylum.

The opinions of Broadmoor's staff were based upon the reportedly debased and violent behaviour of insane convicts and on the perceived negative effect they were having on the treatment of Queen's pleasure patients. It has been shown how Orange and Nicolson were involved in debates on the criminal and that their beliefs appear to have influenced their treatment of convicts at the asylum, particularly when it came to

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<sup>617</sup> D/H14/D2/2/1/1699, letter to Hull Asylum.



segregating them from Queen's pleasure patients. One of the important elements of this chapter is thus its examination of how the question of categorising, housing and treating different types of lunatic in Broadmoor was addressed by the asylum authorities and the Government. It is shown that Broadmoor's two classes of patient were perceived to be radically different. Insane convicts were represented as being more violent, dirty, disruptive and contagious than Queen's pleasure patients. In comparison to the Queen's pleasure patients examined in the following chapter, the emotions exhibited by insane convicts tended not to indicate any remorse or sadness at the crime committed, nor their sadness at what was, in some cases, a hopeless situation.<sup>618</sup> Rather, their emotional displays were closely related by PMOs and Broadmoor's staff to their violent and destructive outbursts, an indication of their inherent immorality and insanity rather than the innate goodness of character some Queen's pleasure patients were deemed to possess. Convicts were also perceived to be unresponsive to moral treatment and, unlike Queen's pleasure patients who could be raised up and improved through association with their moral and social superiors, insane convicts were seemingly assumed to be beyond such treatment. Daniel Hack Tuke considered the distinction between Broadmoor's two classes of patient to be as 'important as that which exists between a horse-chestnut and a chestnut horse', and by all accounts this certainly appears to have been the case.<sup>619</sup>

The following chapters focus on Queen's pleasure patients with a particular focus on men as fathers and husbands.

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<sup>618</sup> Only one of the 186 convicts' examined for this chapter was reportedly remorseful. D/H14/D2/2/1/599, Evan Lewis's case file.

<sup>619</sup> Tuke, *Chapters*, pp. 273-274.

## Chapter Four: Men as Fathers; the depths of despair

During the 1820s physicians refined and developed the term infanticide as a symptom of puerperal insanity.<sup>620</sup> Since alienists cast infanticide as maternal, scholars tend to focus on infanticidal women and on questions surrounding illegitimacy, poverty and puerperal insanity. It has also been shown that, partly because of contemporary beliefs about womanhood, infanticidal women were usually considered insane.<sup>621</sup> The trials of, and reactions to, paternal child-murderers in nineteenth-century England are rarely considered. Melissa Valiska Gregory has studied male infanticide in the early-nineteenth century and Josephine McDonagh considers literary representations of male child-murderers in the eighteenth and nineteenth centuries. Both scholars suggest that murderous fathers were treated unsympathetically, as savage tyrants.<sup>622</sup> Jill Newton Ainsley and Ginger Frost both argue that mothers who murdered their children were shown leniency in comparison to fathers who were more likely to be punished.<sup>623</sup>

To complement the existing literature this chapter examines the case files of sixty male child-murderers who were committed to Broadmoor between 1864 and 1900. It also calculates the average confinement of child murderers using details of the stays of eighty-

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<sup>620</sup> Hilary Marland, 'Getting Away With Murder? Puerperal Insanity, Infanticide and the Defence Plea', in *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550-2000*, ed. by Mark Jackson (Aldershot: Ashgate Publishing, 2002), pp. 168-192 (p. 173).

<sup>621</sup> Meg Arnot, 'Understanding Women Committing Newborn Child Murder in England', in *Everyday Violence in Britain, 1850-1950: Gender and Class*, ed. by Shani D'Cruze (Harlow and New York: Longman, 2000), pp. 55-69; Hilary Marland, *Dangerous Motherhood: Insanity and Childbirth in Victorian Britain* (Basingstoke: Palgrave Macmillan, 2004).

<sup>622</sup> Josephine McDonagh, *Child Murder and British Culture, 1720-1900* (Cambridge: Cambridge University Press, 2003), pp. 35-44, 178-183; Melissa Valiska Gregory, "'Most Revolting Murder by a Father': The Violent Rhetoric of Paternal Child-Murder in *The Times* (London), 1826-1849", in *Writing British Infanticide: Child-Murder, Gender, and Print, 1722-1859*, ed. by Jenifer Thorn (London: Associated University Press, 2003), pp. 70-90.

<sup>623</sup> Jill Newton Ainsley, "'Some Mysterious Agency': Women, Violent Crime, and the Insanity Acquittal in the Victorian Courtroom", *Canadian Journal of History*, 35:1 (2000), 37-55 (p.45); Ginger Frost, "'I Am Master Here': Illegitimacy, Masculinity and Violence in Victorian England", in *The Politics of Domestic Authority in Britain Since 1800*, ed. by Lucy Delap, Ben Griffin and Abigail Wills (Basingstoke: Palgrave Macmillan, 2009), pp. 27-42. Carolyn Conley has argued that gender did not determine the verdict in infanticide trials, *Certain Other Countries: Homicide, Gender and National Identity in Late-Nineteenth Century England, Ireland, Scotland and Wales* (Columbus: Ohio State University Press, 2007), p. 22.

five male child-murderers committed between 1868 and 1900 and one-hundred-and-ninety-one female child-murderers committed between 1871 and 1900 recorded in the registers.<sup>624</sup> It includes men who killed children of all ages who were not always their own. The cases analysed here also include non-insane child murderers and thus the chapter is a good representation of men tried in England for murdering their child between 1864 and 1900. It does not include all of the men committed to Broadmoor for the crime since exact numbers of male child-murderers are difficult to ascertain because the crimes committed by patients were not always recorded in the admission registers. In addition, some case files are missing or are restricted and in other cases the records are uninformative. Women are not the focus of the present chapter but an examination of a selection of female case files seems to confirm what the existing literature already shows regarding the cause and nature of female infanticide. In 1869, for instance, Annie Ingham murdered her nine-month-old child after succumbing to insanity caused by her pregnancy, and in 1889 Sarah Bates murdered her child due to insanity caused by prolonged lactation.<sup>625</sup> Jonathan Andrews has examined the medical treatment and discharge of infanticidal women in Broadmoor but the abundance of material in the case files means there is still room for a discussion of the experiences of infanticidal women in the asylum based upon the letters they wrote and received before and after their confinement.<sup>626</sup>

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<sup>624</sup> The number of cases examined for discharge is higher than the number of case files examined because some case files are closed.

<sup>625</sup> D/H14/D2/2/2/183, Annie Ingham's case file; D/H14/D2/2/2/398, Sarah Bates's case file. Female insanity in infanticide cases was reportedly caused by puerperal insanity, neglectful husbands, poverty and childbirth. For example see the following case files, D/H14/D2/2/2/100, Ruth Driver; D/H14/D2/2/2/101, Mary Dyson; D/H14/D2/2/2/212, Margaret Davenport; D/H14/D2/2/2/216, Ellen Benstead; D/H14/D2/2/2/226, Elizabeth Haviland; D/H14/D2/2/2/2, Sarah Allen; D/H14/D2/2/2/10, Mary Ann Ogden; D/H14/D2/2/2/12, Mary McNeil; D/H14/D2/2/2/16, Ellen Davies; D/H14/D2/2/2/11, Mary Bennett; D/H14/D2/2/2/118, Harriet Rowe; D/H14/D2/2/2/105, Lucy Thompson; D/H14/D2/2/2/514, Elizabeth Urquhart.

<sup>626</sup> Jonathan Andrews, 'The Boundaries of her Majesty's Pleasure: Discharging Child-murderers from Broadmoor and Perth Criminal Lunatic Department c. 1860-1920', in *Infanticide*, ed. by Jackson, pp. 216-48.

## I. Causes of Crime: Protection, Poverty and Intemperance

Victorian alienists tended to classify the causes of insanity as either physical or moral and the alleged insanity of male child-murderers was categorised accordingly. Assigned physical causes of insanity included epilepsy,<sup>627</sup> syphilis, sunstroke, brain disease and influenza.<sup>628</sup> Hereditary taint was also a prominent cause of insanity, and reflected in these cases was the medical belief that intemperance, epilepsy, insanity, idiocy and imbecility in relatives, particularly in one or both parents, could cause mental disorder in the offspring.<sup>629</sup> Assigned moral causes of insanity in cases of male infanticide included domestic troubles, overwork, occupation, social advancement, money troubles, a 'passion for getting rich' and idleness.<sup>630</sup> Strong passions and emotions including anger

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<sup>627</sup> At the meeting of the South-Western Division of the *Journal of Mental Science* at Broadmoor in October 1900, Dr John Baker, Deputy Medical Superintendent of the asylum, presented his paper 'Epilepsy and Crime'. He calculated that between May 1863 and October 1900, 139 (7.5%) of the men and 26 (4.5%) of the women admitted to Broadmoor were epileptic. 'Epilepsy and Crime', *Journal of Mental Science*, 47 (1901), 260-277 (p. 264). Of the cases examined for this chapter, two (3%) men were committed to Broadmoor for murdering children explicitly because of their epilepsy: D/H14/D2/2/1/1038, Henry Edward Taylor's case file; D/H14/D2/2/1/900, John Ball's case file. The existence of epilepsy was mentioned during the trials or recorded in the medical reports of four other men, although their insanity was believed to have another cause: D/H14/D2/2/1/1284, Alfred Bligh's case file; D/H14/D2/2/1/388, Cuthbert Rodham Carr's case file; D/H14/D2/2/1/1479, Joseph Wood's case file; D/H14/D2/2/1/1738, Ernest Travers's case file.

<sup>628</sup> Syphilitic insanity: D/H14/D2/2/1/1617, Charles Brand's case file; Sunstroke: D/H14/D2/2/1/1102, Joseph Redding's case file; Brain disease: D/H14/D2/2/1/222, Timothy Baun's case file; Influenza: D/H14/D2/2/1/1554, William Ponting's case file, D/H14/D2/2/1/1815, David Davis's case file and D/H14/D2/2/1/1689, George Thomas Pett's case file. For the link between influenza and insanity, Reginald Noott, 'The Influenza Epidemic at the State Criminal Lunatic Asylum, Broadmoor, Berks', *Lancet*, 7 June 1890, 1235-1236.

<sup>629</sup> John Charles Bucknill and Daniel Hack Tuke, *A Manual of Psychological Medicine, Containing the Lunacy Laws: The Nosology, Aetiology, Statistics, Description, Diagnosis, Pathology, and Treatment of Insanity, with an appendix of cases*, 3<sup>rd</sup> edn (London: J & A Churchill, 1879), p. 57; Charles Mercier, *Sanity and Insanity* (London: Walter Scott, 1890), pp. 144-145. In 1878 and 1883 respectively, William Henry Hiller and John Simms murdered young boys unknown to them; both were reported to have had a family history of insanity. D/H14/A2/1/1/5, Annual Report (1877), p. 47; D/H14/D2/2/1/1601, John Simms's case file. In 1887 William Smith murdered his illegitimate grandson; he reportedly came from a family of drunkards. See his case file, D/H14/D2/2/1/728. In 1881 J.L.A (name unknown) murdered one of his children. His uncle had reportedly committed suicide and both of his parents drank 'very hard', D/H14/A2/1/1/7, Annual Report (1881), p. 49.

<sup>630</sup> D/H14/D2/2/1/799/11, medical report; D/H14/D2/2/1/996/4, medical report; D/H14/D2/2/1/836/3, Schedule A.

and remorse sometimes accompanied these symptoms, but out-of-control passions and emotions, including grief, hatred and jealousy, were also listed as causes of insanity.<sup>631</sup>

One of the most striking things to come from an examination of male child-murder cases is the emphasis that was placed upon fatherhood by journalists, in the courtroom, and by some defendants themselves. This section concentrates on three alleged causes of child murder and insanity: a father's fear that he could not protect or provide for his child and intemperance; the latter representing a physical cause of insanity which bore a moral stigma, sometimes associated by contemporaries to a man's failure to live up to his domestic role.

In 1841 Charles Dickens murdered his literary offspring little Nell Trent. In the days that followed the act, his real-life daughter, Mamie, later recalled:

like a father he mourned for his little girl – the child of his brain – and he writes: “I am, for the time, nearly dead with work and grief for the loss of my child”[...]“You can’t imagine (gravely I write and speak) how exhausted I am to-day with yesterday’s labors [sic]. I went to bed last night utterly dispirited and done up. All night I have been pursued by the child; and this morning I am unrefreshed and miserable. I do not know what to do with myself.”<sup>632</sup>

In his day-to-day life, Dickens was, according to Mamie, an extremely tender, affectionate and loving father: ‘I can remember with us, his own children, how kind, considerate and patient he was’.<sup>633</sup> Mid-to-late nineteenth-century discourse on fatherhood shows that attitudes towards fatherhood were changing, and the kind and affectionate father epitomised by Dickens was, at least on paper, the expected norm. In his article ‘Fathers’, published in *All the Year Round* in 1865, Andrew Halliday observed,

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<sup>631</sup> Hatred: D/H14/D2/2/1/779/4, Schedule A; Jealousy: D/H14/D2/2/1/877, Samuel Knight’s case file; Grief: D/H14/D2/2/1/811, George Wilson’s case file. In none of the child murder cases examined for this chapter was evidence of physical degeneracy looked for or observed in the accused, as sometimes happened in Italy. Patrizia Guarnieri, *A Case of Child Murder: A Case of Law and Science in Nineteenth-Century Tuscany* (Cambridge, MA: Blackwell, 1993), pp. 70-71. 79. 82.

<sup>632</sup> Mamie Dickens, *My Father As I Recall Him* (New York: Haskell House Publishers, 1974), p. 51.

<sup>633</sup> *Ibid.*, pp. 12-13. For Dickens as a father, Valerie Sanders, *The Tragi-Comedy of Victorian Fatherhood* (Cambridge: Cambridge University Press, 2009), pp. 58-82.

‘The British father has undergone a great metamorphosis of late.’ The modern father, he continued, ‘has relaxed his old severity aspect and become more human [...] Love and sympathy and intelligent communion have taken the place of a cold and senseless severity.’<sup>634</sup> Thirty-years later in the advice manual *Happy Homes and How to Make Them*, J. W. Kirton wrote that it was a man’s duty to

rock a cradle, nurse a baby, [and] play with his children [...] It is a grand thing to have a romp with the children, and [...] a man is not worthy to be a father who cannot now and then play with them, or take an interest in their sports and education.<sup>635</sup>

This was a popular message of marriage and courtship manuals and authors such as Anthony Trollope wrote of devoted and caring fathers in their fiction.<sup>636</sup> Indeed, a man was supposed to delight in his children. Charles Kingsley, following the birth of his first child, declared ‘my little baby, the next link in the golden chain of generations, begotten of our bliss.’<sup>637</sup>

Research on fathers committed to Broadmoor for the murder of their children shows that it was not only in Dickens’s life and work that a connection between infanticide and affection in the nineteenth century can be seen. The cases examined for this chapter demonstrate that prior to committing their crime, many working-class men revelled in their children; they nursed them, played with them, and were kind and affectionate towards them. An examination of these cases thus complements Valerie Sanders’s work on middle-class fatherhood, and builds upon the work of Megan Doolittle

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<sup>634</sup> Andrew Halliday, ‘Fathers’, *All the Year Round*, 14 (2 September 1865), 133-135 (p.135). Joanne Bailey shows that until 1830 ‘paternal and manly feeling’ was praised and suggests a ‘harder’ masculinity was promoted in the decades that followed. *Parenting in England 1760-1830: Emotion, Identity, and Generation* (Oxford: Oxford University Press, 2012), p. 249.

<sup>635</sup> J. W. Kirton, *Happy Homes and How To Make Them, or, Counsels on Love, Courtship and Marriage* (London: John Kempster and Co., 1897), p. 97.

<sup>636</sup> Margaret Marwick, ‘Hands on Fatherhood in Trollope’s Novels’, in *Gender and Fatherhood in the Nineteenth Century*, ed. by Trev Lynn Broughton and Helen Rogers (Basingstoke: Palgrave Macmillan, 2007), pp. 85-95.

<sup>637</sup> Susan Chitty, *The Beast and the Monk: a Life of Charles Kingsley* (London: Hodder and Stoughton, 1974), p. 98. For Kingsley and fatherhood, Valerie Sanders, “‘What Do You Want to Know About Next?’ Charles Kingsley’s Model of Educational Fatherhood”, in *Gender and Fatherhood*, ed. by Broughton and Rogers, pp. 55-67.

and Julie-Marie Strange on working-class fatherhood, because it enables us to reconstruct fatherhood from the point of view of the working classes.<sup>638</sup> At Richard Hammett's trial, his son told the court that he 'was always very fond of us all—when we were ill he used to sit up with us at night and nurse us'; Joseph Wood had murdered his infant daughter without motive, 'being a very affectionate father'; Frederick Crawley was 'dotingly fond of the child' he murdered; and a witness at William Brown's trial told the courtroom 'I never saw a man love a child more – he was fit to eat it.'<sup>639</sup> In 1873, following his arrest for the murder of his son, Thomas, George Wilson was tried at the Old Bailey. Wilson's neighbour, Mr Oxley, testified that Wilson would not have allowed 'a hair on [...] [his children's] heads to be injured', and Wilson's eldest son William, when asked 'Has he always been a kind father?' replied 'Oh, yes: he has been one of the best of fathers until he went out of his mind.'<sup>640</sup>

The defence counsels of paternal child-murderers generally argued that because defendants were affectionate and caring fathers they had no motive for committing the crime and therefore should be considered insane. Henry Seyman murdered his son Harry in 1869, and his defence argued:

Motive was of utmost importance, and that in the present case no motive had been shown. [...] What! were they to believe that a kind father would at once throw off the bright instincts of his heart, and all the better feelings of nature, and become in a moment a cold blooded murderer?

The jury found Seyman not guilty on the ground of insanity.<sup>641</sup> In 1884 Alfred Bligh murdered his three children. Bligh's defence told the court they 'could not conceive any

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<sup>638</sup> Sanders, *Tragi-Comedy*; Megan Doolittle, 'Fatherhood and Family Shame: Masculinity, Welfare and the Workhouse in Late Nineteenth-Century England', in *The Politics of Domestic Authority*, ed. by Delap, Griffin and Wills, pp. 84-108; Julie-Marie Strange, 'Fatherhood, Providing and Attachment in Late Victorian and Edwardian Working Class Families', *The Historical Journal*, 55:4 (2012), 1007-1027.

<sup>639</sup> 'The Middlesbrough Murder', *Daily Gazette*, 25 March 1874, p. 3.

<sup>640</sup> 'Dreadful Murder in London', *Birmingham Daily Post*, 10 November 1873. For the trial, *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 6.0, 20 June 2011), November 1873, trial of George Wilson (54) (t18731124-32).

<sup>641</sup> 'The Sheffield Child Murder', *Sheffield and Rotherham Independent*, 3 April 1869, p. 3.

case which was any more an obvious, more flat, more flagrant, contradiction of the natural tendencies of human nature than the act committed by that man.’<sup>642</sup> Scholars show that as sympathy for infanticidal mothers grew over the eighteenth and nineteenth centuries, legal reforms, judges, juries, physicians and alienists ‘all betrayed a desire to shield women from prosecution and punishment.’<sup>643</sup> An examination of paternal child-murder cases demonstrates a similar desire.

Increasing interest in the study of children from the 1870s initiated a shift in the scientific community and men of science became more concerned with questions related to fatherhood and the connection between men and children.<sup>644</sup> In his *The Emotions and the Will* (1875) moral philosopher Alexander Bain discussed the ‘Emotions of Parents’. He observed that not only were fathers sensitive and loving, but that ‘[t]he feeling of protectorship is cherished’ by them.<sup>645</sup> Megan Doolittle has shown that the protection of children was embedded in constructions of fatherhood and manliness, and an examination of cases from Broadmoor shows that the delusions men suffered revolved around their fear of being unable to live up to the expectation that they would protect their child.<sup>646</sup>

Here, we see the paradox of killing a child in order to protect them. James Marston

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<sup>642</sup> ‘The Kirkham Tragedy’, *Manchester Times*, 17 July 1886.

<sup>643</sup> Christine L. Krueger, *Reading for the Law: British Literary History and Gender Advocacy* (Charlottesville and London: University of Virginia Press, 2010), p. 219. Contemporaries were aware of the sympathy shown to infanticidal women. In 1902, John Baker gave a paper on Broadmoor’s female patients in which he discussed infanticide. Afterwards, Dr. L. Weatherly reportedly remarked that ‘The sympathy of judge and jury with a woman was well known’, and he was ‘perfectly satisfied’ that ‘if these murders by females had been committed by men instead of women, the murderers would have gone to the gallows.’ ‘Female Criminal Lunatics: a Sketch’, *Journal of Mental Science*, 48 (January 1902), 13-28 (p. 27). Not all contemporaries agreed with the apparent refusal to convict infanticidal women. Physician William Burke Ryan was ‘decidedly of opinion that this unwillingness to convict [...] is much to be reprobated [...] It gives a silent sanction to the detestable practice, and indirectly encourages a system which brings indelible disgrace upon a nation. Sympathy for a class of parents who could coolly plan [...] the murder of their innocent offspring is false indeed’. *Infanticide: Its Law, Prevalence, Prevention and History* (London: John Churchill, 1862), p. 26.

<sup>644</sup> Claudia Nelson, *Invisible Men: Fatherhood in Victorian Periodicals, 1850-1900* (Athens and London: The University of Georgia Press, 1995), pp. 73-106; Sally Shuttleworth, *The Mind of The Child: Child Development in Literature, Science, and Medicine, 1840-1900* (Oxford: Oxford University Press, 2010), pp. 304-324.

<sup>645</sup> Alexander Bain, *The Emotions and the Will*, 3<sup>rd</sup> edn (London: Longmans, Green and Co., 1875), p. 142.

<sup>646</sup> Megan Doolittle, ‘Fatherhood, Belief and the Protection of Children in Nineteenth-Century English Families’, in *Gender and Fatherhood*, ed. by Broughton and Rogers, pp. 31-42.



drowned his child ‘in a pond [...] fearing some evil was about to fall it’, Edward Abbott killed his young daughter because he believed that his imminent murder would leave her unprotected, and Henry Garrod murdered his daughter because, having lost his money, he feared that she would grow up to lead ‘a bad life [and] be killed by Jack the Ripper’.<sup>647</sup>

It was the death of a child that brought out paternal feelings most strongly.<sup>648</sup> In Mary Elizabeth Braddon’s novel *The Fatal Three* (1888), George Greswold is depicted as the ideal husband and father, but following the death of his daughter Lola from typhoid fever he is overwhelmed by grief and descends into madness.<sup>649</sup> Representations of childhood death and male madness in real-life cases mirrored fictional tales. In 1875, James Senior murdered his ten-year-old daughter ‘in an attack of insanity’ driven by the ‘dread of losing [this] child who was [...] seriously ill’.<sup>650</sup> And in May 1890, Joseph Wood murdered his three-week-old-daughter, Nelly, after he suffered an attack of insanity following the death of his son.<sup>651</sup> The inability to save their child from death and disease seemingly led to feelings of hopelessness in both Senior and Wood and perhaps feelings of failure, just as in *The Fatal Three* where, as Valerie Pedlar suggests, since ‘George has prided himself on his [...] paternal devotion to Lola, her death seems to show a dismal proficiency in [this] respect’.<sup>652</sup> Thus a man’s failure to protect his child not only led to insanity but emasculation.

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<sup>647</sup> D/H14/D2/2/1/281, James Marston’s case file; D/H14/D2/2/1/799, Edward Abbot’s case file; D/H14/D2/2/1/1473, Henry Garrod’s case file. David Nicolson reported that the melancholy delusions suffered by infanticidal women regarding their child’s (bleak) future were also present in cases of paternal infanticide. ‘An Address on Mind and Motive: Some Notes on Criminal Lunacy’, *BMJ*, 13 September 1913, 641-645 (pp. 644-645).

<sup>648</sup> Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987), p. 30; Julie-Marie Strange, *Death, Grief and Poverty in Britain, 1870-1914* (Cambridge: Cambridge University Press, 2005), p. 262.

<sup>649</sup> Mary Elizabeth Braddon, *The Fatal Three* (Leipzig: Bernhard Tauchnitz, 1888), pp. 50-51.

<sup>650</sup> D/H14/D2/2/1/834, James Senior’s case file.

<sup>651</sup> *Huddersfield Daily Chronicle*, 17 March 1890, p. 3; ‘Inquest’, *The Times*, 1 April 1890, p. 11.

<sup>652</sup> Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006), p. 128.

Jill Newton Ainsley argues that the sympathy extended to mothers who killed their children because they did not want to subject them to a life of poverty was absent in cases of paternal infanticide.<sup>653</sup> The Broadmoor records, however, indicate that poverty drove a number of fathers as well as mothers to murder their children: the fact they were sent to Broadmoor rather than to the gallows also indicates that a certain degree of sympathy was extended to them. Megan Doolittle, Lionel Rose and John Tosh have highlighted the pressures Victorian fathers faced when it came to providing financially for their families.<sup>654</sup> This was particularly true towards the end of the nineteenth century when ‘fathers had a much more sharply defined and onerous sense of responsibilities to live up to than their forebears.’<sup>655</sup> This was in part due to factory reform and the Education Act of 1870 which meant that men had to financially provide for their children until they were at least twelve-years old.<sup>656</sup> In his *Ascent of Man* (1899) Henry Drummond used evolutionary science to enforce the notion that it was a father’s prerogative to provide for his children:

He is not only protector but food-provider. It is impossible to believe that in process of time the discharge of this office did not bring some faint satisfactions to himself, that the mere sight of offspring fed instead of famished did not give him certain pleasure. And though the pleasure at first may have been no more than the absence of the annoyance they caused by the clamorousness of their want, it became a stimulus to exertion, and led in the end to rudimentary forms of sympathy and self-denial.<sup>657</sup>

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<sup>653</sup> Ainsley, ‘Some Mysterious Agency’, p. 45.

<sup>654</sup> Doolittle, ‘Fatherhood, Belief and the Protection of Children in Nineteenth-Century English Families’, in *Gender and Fatherhood*, ed. by Broughton and Rogers, pp. 31-42; Lionel Rose, *The Massacre of the Innocents: Infanticide in Britain 1800-1939* (London, Boston and Henley: Routledge and Kegan Paul, 1986); John Tosh, *A Man’s Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press, 2007), p. 82 and *Manliness and Masculinities in Nineteenth-Century Britain* (Harlow: Pearson Education Limited, 2006), p. 37.

<sup>655</sup> Sean Brady, *Masculinity and Male Homosexuality in Britain, 1861-1900* (Basingstoke: Palgrave Macmillan, 2005), p. 36.

<sup>656</sup> The Education Act (1870) introduced compulsory education for children between the ages of five and twelve.

<sup>657</sup> Henry Drummond, *The Ascent of Man* (London: Hodder and Stoughton, 1899), pp. 394-395. For Drummond on motherhood, Thomas Dixon, *The Invention of Altruism: Making Moral Meanings in Victorian Britain* (Oxford and New York: Oxford University Press, 2008), pp. 273-320.

A man's desire to provide for his family was thus innate, just like the need to protect them. Alienists, such as Charles Mercier, agreed that

The onset of poverty and adversity, which could easily be borne if the individual alone were concerned, may become a source of dangerous stress from the fact that it will involve offspring also; and anxiety as to their fate under such circumstances may be attended to by an amount of stress sufficient to produce insanity.<sup>658</sup>

Henry Parker and Robert Hallowell both murdered their sons fearing they could not provide for them. The widower Alfred Bligh murdered his three children because he feared he would lose his job and subject them to a life of poverty.<sup>659</sup> It was suggested at the inquest that monetary problems and the impending affiliation of an illegitimate child weighed heavily on Bligh's mind.<sup>660</sup> These issues seemingly exacerbated the mental deterioration of this struggling single father who, in his own words, had 'been driven to do this' for he could not 'stand it any longer.'<sup>661</sup> In his *Crime and its Causes* (1891) criminologist and prison chaplain, W. D. Morrison, stated 'it is probable' that a man facing destitution 'will commit crimes [...] such as homicide or assault.'<sup>662</sup> This is echoed in the case of Richard and Amy Oakes who, in 1890, poisoned their eight-year-old son Arthur. To explain his crime, Richard Oakes wrote a letter to his brother George. This 'touching' 'letter of despair', as it was referred to by the press, was read out at the trial by Charles Simpson, Oakes' nephew:<sup>663</sup>

My dearest Georgie,—Twelve months have I now put up with a most miserable, struggling existence, and I really cannot stand anymore; I am completely worn out, and relations who could assist me won't do any more [...] I can face poverty and degradation no longer, and would sooner die than go to the workhouse. Whatever the awful consequences may be of the step we have taken, we have, God forgive us, taken our darling lamb Arty with us, out of pure love and affection, so that the darling should never be cuffed about, or reminded or taunted with his heart-broken parent's crime. My poor

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<sup>658</sup> Mercier, *Sanity and Insanity*, p. 275.

<sup>659</sup> D/H14/D2/2/1/391, Henry Parker's case file; D/H14/D2/2/1/905, Robert Hallowell's case file.

<sup>660</sup> The Bastardy Act (1845) and the Bastardy Laws Amendment Act (1873) made it legal for the father of a bastard child to be summoned before two justices where he may be ordered to pay a sum for the child's maintenance.

<sup>661</sup> 'Frightful Tragedy: Three Children Murdered', *Cheshire Observer*, 22 May 1886, p. 7.

<sup>662</sup> W. D. Morrison, *Crime and its Causes* (London: Swan Sonnenschein, 1891), pp. 82-83.

<sup>663</sup> 'A Letter of Despair', *Lloyds Weekly Newspaper*, 6 July 1890.

wife has done her best at needlework, washing, house minding, etc., in fact, anything and everything that would bring us in a shilling, but it would only keep us in semi-starvation. I have now done six weeks' travelling from morning till night, and not received one farthing for it; if that is not enough to drive you mad, wickedly mad, I don't know what is—no bright prospect anywhere, no ray of hope. May God Almighty forgive us for this heinous sin [...] We have now done everything that we possibly can think of to avert this wicked proceeding, but can discover no ray of hope; fervent prayer has availed us nothing [...] I am exceedingly sorry to leave you all, but I am mad, thoroughly mad. [...] We have only yourself and a very few others who care one pin what becomes of us, but you must try and forgive us, is the last fervent prayer of your devoted friend and affectionate but broken-hearted and persecuted brother, R. A. OAKES.<sup>664</sup>

Simpson described Oakes' industriousness and temperate habits; he had lost his job only because 'he was getting too old, and they required a younger person to perform the duties.' Other witnesses included their landlady, Alice Graham, who testified that the couple were six weeks in arrears with their rent, and Police Inspector Thomas Newman who told the courtroom that when he was called to the house, Amy Oakes told him 'We have been out of our senses for nights; it is poverty that has made us do this'. The couple pleaded guilty but their defence argued 'that the condition of the mind of the prisoners – not the outcome of disease, but suffering and poverty – was such that they could not be made responsible for what they said', i.e. that they had poisoned and murdered their child. The defence contended that 'this was a case of self-accusation, which accusation upon inquiry turned out to be without foundation.'<sup>665</sup> Rather than calling upon medical evidence to prove the Oakes's were mentally unsound, medical witnesses were called who gave conflicting evidence on whether or not Arthur had died from strychnine poisoning, as the Oakes's had said. One physician 'formed the opinion that the death was from strychnine poisoning' whereas another told the courtroom, 'from my examination of the organs in this case I should not feel justified in saying that the deceased had died from strychnine'.<sup>666</sup> The evidence presented at the trial demonstrates that the Oakes's had planned the murder, had a motive, and knew that their crime was wrong; legally they

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<sup>664</sup> *OBPO* (30 September 2012), July 1890, trial of Richard Arthur Oakes (59) Amy Oakes (46) (t18900728-587). For feelings of shame towards the workhouse,

<sup>665</sup> 'Central Criminal Court', *The Times*, 1 August 1890, p. 10.

<sup>666</sup> *OBPO*, trial of Richard and Amy Oakes.

were culpable for the act. Yet a clever tactic by the defence meant some doubt was cast over whether they had committed an offence at all; a similar approach was taken in some maternal child-murder cases where medical evidence was used to cast doubt over whether a child was murdered or died naturally.<sup>667</sup> The Oakes's were found guilty but insane and committed to Broadmoor.

These cases, and the fact the judiciary declared these crimes acts of insanity, indicate the association of economic failure with personal failure in nineteenth-century cultures of masculinity. Such instances suggest that the desire to provide for one's family was not purely a bourgeois construct of masculinity, but a paternal impulse shared by working-class men.<sup>668</sup> Melissa Gregory's analysis of representations of male infanticide in *The Times* during the early nineteenth century draws attention to the prevalent image of working-class fathers who had internalised their role as providers to such an extent that failure to meet that expectation left child-murder as an alternative to starvation. Moreover these reports 'suggested that child-murder was the only way for him to obliterate the pain he felt at his psychological emasculation.'<sup>669</sup> The examination of cases of paternal child-murderers show that this depiction continued throughout the nineteenth century and the expectation a man would provide for his child was not lost on middle-class juries and judges who sympathised with the struggles these working-class men faced. It is also apparent, however, that the emphasis in the courtroom and the press on a man's failure to secure employment or to provide for his child shifted attention from the murdered child to the father. In their studies of infanticidal women Ann Higginbotham and Aeron Hunt suggest that journalistic and judicial attributions of infanticide to illegitimacy and insanity

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<sup>667</sup> Ryan, *Infanticide*, p. 4.

<sup>668</sup> Davidoff and Hall, *Family Fortunes*, p. 334.

<sup>669</sup> Gregory, 'Most Revolting Murder', in *Writing British Infanticide*, ed. by Thorn, p. 79.

deflected attention from the actual cause of the crime, poverty.<sup>670</sup> Poverty was harder to ignore in the case of paternal child-murderers because defendants, such as Oakes, sometimes referred to it themselves. The press, however, still managed to ignore the issue by casting defendants as responsible for their own destitution and as insane.<sup>671</sup> Thus a man's failure to provide for his family overshadowed the murder of his child and turned him into an object of sympathy, whilst simultaneously emasculating him.

It was not just poverty that prevented men providing for their families; drunkenness was also a problem. In 1874 temperance advocate Edward Baines declared, 'scarcely a newspaper can be taken up which does not record murders and manslaughters (too often the most unnatural and hideous), with suicides and accidental deaths, committed and incurred when the brain is maddened and the blood inflamed with liquor.'<sup>672</sup> Likewise, physician Charles Wilson believed that the maniacal excitement that sometimes followed drinking gave origin 'to an insane impulse to commit the most inhuman murders; and there is no tie of blood or relationship so sacred, as to have at all times escaped the consequences of this self-induced frenzy.'<sup>673</sup> The detrimental effect of intemperance on the mental faculties was generally agreed upon by the medical profession and also by the Temperance Movement who spread the word that drinking degraded men 'below the level of very brutes.'<sup>674</sup> Medical experts echoed the animalistic imagery of temperance literature. L. F. Winslow wrote that the drunken man was reduced

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<sup>670</sup> Ann Higginbotham, "'Sin of the Age': Infanticide and Illegitimacy in Victorian London', *Victorian Studies*, 32:3 (1989), 319-337; Aeron Hunt, 'Calculations and Concealments: Infanticide in Mid-Nineteenth Century Britain', *Victorian Literature and Culture*, 34 (2006), 71-94.

<sup>671</sup> Gregory, 'Most Revolting Murder', in *Writing British Infanticide*, ed. by Thorn, p. 78.

<sup>672</sup> Edward Baines, *Appeal to Christians on the National Vice of Intemperance, Address Delivered at the Inaugural Meeting of the Congregational Total Abstinence Association* (London: W. Tweedie, 1874), pp. 4-5.

<sup>673</sup> Charles Wilson, *The Pathology of Drunkenness: A View of the Operation of Ardent Spirits in the Production of Disease; Founded on Original Observation, and Research* (Edinburgh: Adam and Charles, 1855), p. 127.

Samuel Jarrold, 'An Earnest Appeal to the Working-Men of England, Against the Use of Intoxicating Drinks and Tobacco', *Norwich Cheap Tracts* (Norwich: S. Jarrold, 1860), p. 4.

‘to the level of the beast’ and described his ‘brutalizing habits.’<sup>675</sup> In *The Drink Question: Its Social and Medical Aspects* (1889) Kate Mitchell declared ‘no four-footed animal is capable of showing such degraded tendencies, and such an utter want of decency, or committing such unnameable offences as man in a state of intoxication.’ Alienists associated intemperance with maniacal attacks and ‘fits of passion’.<sup>676</sup> Whilst intoxicated it was believed that ‘the passions ride triumphant over reason’ and crimes were committed.<sup>677</sup> As if to prove this point, Joseph England ‘cut his child’s throat (nearly severing its head) with a table knife, in a fit of passion aggravated by hard drinking’ and the ‘maniacal attack’ which led George Lockin to murder his two children was ‘brought on by drink.’<sup>678</sup> Even a small amount of alcohol could disorder the intellect and pervert the moral sentiments, meaning even the casual drinker was liable to ‘become perverted into the fiercest of monsters’ whereby he ‘bursts into rage, seizes the readiest weapon [...] is furious and savage, strikes or stabs with double violence’, especially if he had previously received a bang to the head or suffered from sunstroke or previous ailments, such as melancholy.<sup>679</sup>

To some alienists drunkenness involved more than unrestricted impulses. In 1897 George Wilson wrote:

Intoxication to the ordinary observer is loss of self-control; to the physician, it is the physiological effect of alcohol on the brain. Usually, drunkenness is merely regarded as a vicious habit; scientifically, it is a reduction of mental capacity due to deterioration of the brain tissue. To the moralist, the preacher, and the social reformer, drunkenness is an impressive spectacle of human degradation. But all human history [...] has its scientific interest, and we must not be wholly distracted from this by ethical considerations.<sup>680</sup>

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<sup>675</sup> L. F. Winslow, *On Uncontrollable Drunkenness as a Form of Mental Disorder, With the Only Possible Means of Legally Dealing with Such Cases* (London: Henderson & Spalding Ltd., 1892), pp. 12. 26.

<sup>676</sup> Henry Maudsley, *The Physiology and Pathology of Mind* (London: Macmillan and Co., 1867), p. 228; George R. Wilson, *Drunkenness* (London: Swan Sonnenschein & Co. Ltd., 1897), p. 33.

<sup>677</sup> Kate Mitchell, *The Drink Question: Its Social and Medical Aspects* (London: Swann Sonnenschein & Co., 1889), p. 200.

<sup>678</sup> D/H14/D2/2/1/881, Joseph England’s case file; D/H14/D2/2/1/953, George Lockin’s case file.

<sup>679</sup> Wilson, *Pathology of Drunkenness*, p. 127.

<sup>680</sup> Wilson, *Drunkenness*, pp. 1-2.

In line with this scientific approach, physicians wrote about the detrimental effect alcohol seemingly had on the condition of blood.<sup>681</sup> In 1905 the Lunacy Commissioners stated that alcohol was ‘brain poison’ and alienists including Henry Maudsley believed alcohol had a ‘marked effect upon the function of the supreme cerebral cells.’<sup>682</sup> Within these scientific boundaries medical men established the existence of different forms of alcohol-induced mental disease: these included dipsomania, a disease in which there was an unhealthy brain condition; chronic alcoholism, which occurred in persons ‘who have not drunk so as to be intoxicated, but are nonetheless habitual “soakers”’; and *delirium tremens* (DT), a form of temporary insanity classified by T. Sutton in 1813, which by 1897 was considered ‘the most impressive and dramatic of the alcoholic neuroses.’<sup>683</sup>

Martin Wiener shows that the Victorian crusade against drink meant drunkenness received less tolerance from judges than it had done previously particularly in cases involving domestic violence.<sup>684</sup> When linked to insanity though, and despite the huge moral disapproval attached to it, drunkenness was sometimes successfully invoked as a form, cause or sign of insanity and was an aspect of the defence in child-murder cases. In an article published in the *Lancet* in 1893, Broadmoor’s senior medical assistant, Dr Reginald Harry Noott, calculated that between 1882 and 1892 intemperance was the assigned cause of insanity in 26% of the 325 patients committed insane to Broadmoor.<sup>685</sup> Intemperance was as common among male child-murderers as it was the general

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<sup>681</sup> During his Address at Broadmoor, John Baker stated that ‘The value of alcohol as an aetiological factor is perhaps somewhat exaggerated’. This was a view shared by some members of the audience. ‘Epilepsy and Crime’, pp. 266. 277.

<sup>682</sup> Lunacy Commissioners quoted in R. Jones, ‘Alcohol and National Deterioration, in *Drink Problem*, in *The Drink Problem*, ed. by T. N. Kelynack (London: Methuen & Co., 1907), pp. 229-239 (p. 237); Maudsley, *Physiology*, p. 228 and ‘Homicidal Insanity’, *Journal of Mental Science*, 9 (1863), 327-343 (p. 329).

<sup>683</sup> Wilson, *Drunkenness*, pp. 48-49.

<sup>684</sup> Wiener, *Men of Blood*, p. 276 and ‘Judges v. Jurors: Courtroom Tensions in Murder Trials and the Law of Criminal Responsibility in Nineteenth-Century England’, *Law & History Review*, 17:3 (1999), 467-506 (pp. 490-497).

<sup>685</sup> Reginald Harry Noott, ‘The Relation of the Abuse of Alcohol to Mental Diseases’, *Lancet*, 23 September 1893, 739-741 (p. 741.).



Broadmoor intake: it was a perceived cause of insanity in 15 (25%) of the 60 cases of child murder examined for this chapter. Of these 15 patients, intemperance was the sole cause of insanity in 7 (47%) cases; 2 (13%) patients had a hereditary history of insanity; in 4 (27%) cases intemperance was associated with domestic troubles, pecuniary anxieties or overwork; and 2 (13%) patients had suffered from previous attacks of madness.<sup>686</sup>

In response to the medicalisation of intemperance, as well as other developments outside the courtroom including the characterisation of habitual drunkenness as a medical condition by an Act of Parliament in 1879, defence counsels sometimes attempted to link defendants' drunkenness to recognisable forms of mental disease, such as DT, so that defendants' intemperance 'could be seen as preventing the[m] [...] from forming criminal intent.' Indeed, as 'a disease of physical trembling and delusions of the senses' DT was one potential way to gain an insanity verdict within the confines of the law.<sup>687</sup> Lawyers and judges were willing to accept claims of non-responsibility based on defendant's alleged DT in child-murder cases. The judge presiding over William Brown's trial told the jury:

In point of law, drunkenness was no excuse for a crime committed; and if a man chose to deprive himself of his reason by drinking, it was rather an aggravation of his offence than otherwise, but if drunkenness produced delirium tremens, so that the man did not know right from wrong, then he was not liable for his actions.<sup>688</sup>

Judges in such cases sometimes made it explicitly clear that defendants had not been intoxicated when they committed the crime. This was important because drunkenness was increasingly seen as an unsuitable defence and there was the presumption within

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<sup>686</sup> For example, the case of William Robinson, D/H14/A2/1/1/2, Annual Report (1876), p. 8; the case of C. H. S. (full name unknown), D/H14/A2/1/1/7, Annual Report (1881), p. 49. Intemperance sometimes acted alongside some other cause of insanity. Thomas Argil was murdered his wife and grandchild. His insanity allegedly caused by intemperance, hereditary taint and a badly shaped head: D/H14/D2/2/1/1485.

<sup>687</sup> Wiener, *Men of Blood*, p. 272. Some alienists feared that lawyers did not view DT the same way. Henry Maudsley complained that 'If a person suffers from mental derangement after alcoholic excesses the vulgar opinion is that he is not ever insane, but at most has an attack of delirium tremens which will soon pass away' and he is considered responsible for the crime anyway. *Physiology*, p. 492.

<sup>688</sup> 'The York Assizes', *Daily Gazette*, 25 March 1874, p. 3. The judge at Henry Seyman's trial made a similar remark, *Pall Mall Gazette*, 1 April 1869.

courtrooms that if a defendant was drunk then he was responsible, and thus should be convicted.<sup>689</sup> Defence counsels and medical witnesses made it clear that defendants' DT meant that they 'did not know right from wrong' and often referred to their delusions, which were commonly assumed to accompany DT, to confirm the legality of their insanity.<sup>690</sup> William Brown's defence described his delusions: 'on one occasion he had imagined that he had the child in his arms, and on another he had cried out that it was burning.'<sup>691</sup> These were linked to Brown's capacity as a father: 'never lose sight', his defence told the jury, that Brown's delusions 'showed that his thoughts were always centred upon his son.' They declared that had they been on the jury and heard the same evidence, then their 'verdict would have been one of temporary insanity.' The jury agreed and found Brown guilty but insane.<sup>692</sup>

Defendants such as William Brown and Henry Seyman were not only represented as diseased but also emasculated by their DT. At Seyman's trial his neighbours testified that they no longer witnessed the once loving father playing with his son, nor had he been going to work.<sup>693</sup> And Brown was reportedly 'queer' and 'stupid' as well as verbally abusive towards his wife and child.<sup>694</sup> Physicians and social commentators made distinctions between the normal man and the drunkard. To the physician the intemperate madman was, as Charles Wilson wrote, 'thoroughly unmanned', for the incapacity for bodily and mental exertion led to business failure and broken promises.<sup>695</sup> Insanity removed a man's capacity to be independent and, as in Seyman's case, to work, provide for his family and thus be a good father. In his lecture 'Courtship & Marriage; or, Special

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<sup>689</sup> Wiener, 'Judges v. Jurors', pp. 492. 496. For the legal position of the drunkard, S. A. Atkinson, 'Medico-Legal Relations of Alcoholism', in *Drink Problem*, ed. by Kelynack, pp. 108-121.

<sup>690</sup> 'The Burton Murder', *Derby Mercury*, 6 August 1890. For DT and delusions, Nicolson, 'Mind and Motive', p. 643.

<sup>691</sup> 'The Middlesbrough Murder', *Daily Gazette*, 23 March 1874, p. 2.

<sup>692</sup> 'The Sheffield Child Murder', *Sheffield and Rotherham Independent*, 3 April 1869, p. 3.

<sup>693</sup> 'The Sheffield Murder', *Bradford Observer*, 1 April 1869, p. 7.

<sup>694</sup> 'The York Assizes', *Daily Gazette*.

<sup>695</sup> Wilson, *Pathology*, p. 60.

Hints to the Single and Married' the phrenologist, Reverend John William Taylor warned his readers that intoxicated men transformed from kind and affectionate fathers into cruel tyrants, who make the lives of their wives and children miserable.<sup>696</sup> Drinking removed men from the homes they were supposed to create and maintain.<sup>697</sup> In *Happy Homes*, Kirton dedicated a chapter to 'The Public House, The Rival to Home' and advised working-class men to spend their money on their home and families rather than on alcohol.<sup>698</sup>

## II. Child Murder in the Press and Trial Proceedings

Research by A. James Hammerton, Frost and Wiener indicates that Victorian judges attempted to improve working-class behaviour through the courts by condemning violent behaviour as unmanly.<sup>699</sup> My research on male child-murderers supports this broad conclusion. The working and middle classes were intolerant not only of the domestic abuse of women, as is discussed in Chapter Five, but also of children. An examination of press reports and *Old Bailey Proceedings Online* (OBPO) shows that the nature of the crimes committed by childless men and convicted fathers, their motivations for the crime, their previous character, and demeanour in the courtroom were all subject to scrutiny. In condemning the behaviour of these men the press, judges, and juries helped to define appropriate male behaviour, including what made a good father.

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<sup>696</sup> John William Taylor, *Love, Courtship, and Marriage: How to Read Character by the Walking, Hand-Shaking, etc, Four Lectures* (London: L. N. Fowler, 1891), p. 52.

<sup>697</sup> Alienist Thomas Laycock observed that the intemperate 'husband, father, and citizen' is 'quite incapable [...] of performing his duties.' 'Suggestions for Rendering Medico-Mental Science Available to the Better Administration of Justice, and the More Effectual Prevention of Lunacy, Vice, and Crime', *Lancet*, 26 September 1868, 403-405 (p. 403).

<sup>698</sup> Kirton, *Happy Homes*, pp. 157-58. For the crusade against drink, Brian Harrison, *Drink and the Victorians: The Temperance Question in England, 1815-1872* (Keele: Keele University Press, 1971); Lilian Lewis Shiman, *Crusade Against Drink in Victorian England* (Basingstoke: Macmillan, 1986).

<sup>699</sup> A. James Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London and New York: Routledge, 1992); Ginger Frost, *Living in Sin: Cohabiting as Husband and Wife in Nineteenth-Century England* (Manchester: Manchester University Press, 2008); Wiener, *Men of Blood*, pp. 29-32.

Press representations of child murder differed according to who committed the crime: insane paternal child-murderers tended to be described as pensive and quiet, whereas childless men were seen as savage beasts fuelled by passion. On 29 November 1895, Robert Jones was tried for the murder of Robert Edward Jones, his two-and-a-half-year-old son. He was found insane. On the morning of the crime, Jones got out of bed when one of his three children sleeping in the next room began to cry and, according to the *Huddersfield Daily Chronicle*, returned soon after ‘to horrify his wife with the cool statement, “I have killed Robert.”’<sup>700</sup> The principal witness was Jones’s six-year-old daughter who shared a bedroom with her younger brother and sister. She told the court:

On Saturday morning I woke up. I heard my brother make a noise in his throat as if he was going to be sick. I then saw some blood about him. He was lying at the side of the bed. His head was hanging down, and my father was stooping over him. [...] My father went out of the room after that, and left my brother at the foot of the bed. I said, ‘Father, what are you doing.’ He did not answer.<sup>701</sup>

Jones’s quiet, calm completion of the crime was a familiar scene. After Henry Seyman murdered his child, his neighbours heard him calmly say to his wife ‘Go and look at Harry; he is dead’.<sup>702</sup> Neither Frederick Crawley nor Richard Hammett spoke or moved when discovered with their dead children by their wives and Alfred Bligh convinced his housekeeper to go to the circus before murdering his children at home, alone.<sup>703</sup> This differed from the crimes of childless men who committed the act in public. John Jordan, Ernest Travers and Frank Brearley, for example, all murdered young children outside; Travers and Brearley did so in front of witnesses. The acts of childless men were reportedly violent and brutal. Various newspapers reported that Hugh Hagan, who

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<sup>700</sup> ‘Another Liverpool Murder: A Father Kills His Infant Son’, *Huddersfield Daily Chronicle*, 19 August 1895, p. 3.

<sup>701</sup> Ibid.

<sup>702</sup> ‘Awful Tragedy Near Euston Square – Double Murder and Attempted Suicide’, *Illustrated Police News*, 24 September 1881. Also, ‘Shocking Murder’, *Reynolds Newspaper*, 21 March 1869; *Liverpool Mercury*, 24 February 1871.

<sup>703</sup> ‘Triple Murder and Attempted Suicide by a Policeman’, *Berrow’s Worcester Journal*, 22 May 1884, p. 2.

murdered the illegitimate child of his cousin's wife, visited his cousin one afternoon and when the child began to cry 'he immediately burst into a rage, snatched the child from its brother's arms, opened the bed-room door, and "clashed" it upon the bed.'<sup>704</sup> And Frank Brearley was depicted by the *Derby Mercury* as abnormally strong: although 'a man and woman had endeavoured to prevent him from murdering the girl [...] he proved too strong for them and made a violent attack.'<sup>705</sup> The brutal acts of these men immediately placed them outside the bounds of acceptable masculine behaviour. They were condemned in the press, the courtroom, and by the public. Travers's case caused such controversy that the police had to take precautions against hostile demonstrations outside the courtroom and his appearance at the inquest was met with 'hooting and groans' from the crowd outside.<sup>706</sup>

Paternal infanticide was considered a 'sad tragedy' by the press and headlines such as 'A Father's Terrible Crime' and 'A Father's Awful Crime' reinforced this representation.<sup>707</sup> Paternal child-murderers were depicted in the press as remorseful, withered wrecks. The *Pall Mall Gazette* reported that when Robert Jones left court 'five policemen had to support the wretched man, who was in a state of utter collapse, and pathetically enquired whether his little son was dead.'<sup>708</sup> William Kemp was 'so prostrated that a medical man remained with him in the dock, and [he] was kept in a state of consciousness by the repeated application of stimulants.'<sup>709</sup> Kemp also 'sat with his face buried in his hands' and 'occasionally shed tears', as did Richard Hammett and

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<sup>704</sup> *Pall Mall Gazette*, 24 February 1873.

<sup>705</sup> 'The Burton Murder', *Derby Mercury*, 6 August 1890.

<sup>706</sup> 'Sensational Evidence in Court', *Illustrated Police News*, 20 March 1897.

<sup>707</sup> 'A Father's Awful Crime', *Glasgow Herald*, 19 August 1895; 'A Father's Terrible Crime', *Pall Mall Gazette*, 19 August 1895.

<sup>708</sup> 'A Father's Terrible Crime', *Pall Mall Gazette*.

<sup>709</sup> 'Murder by a Father', *Morning Post*, 3 December 1868, p. 3.

Richard Oakes.<sup>710</sup> Frederick Crawley ‘cried piteously’ during his trial and Henry Seyman ‘covered his face with a handkerchief, and at times cried very bitterly.’<sup>711</sup> On the other hand, the press tended to refer to childless men as ‘culprits’ and murderers, and headlines such as ‘Shocking Child Murder’, ‘Barbarous Murder’, and ‘Horrible Murder’ appeared, which distinguished them and their crimes from the crimes of insane fathers.<sup>712</sup> Press representations of childless men during their trials differed to the emotional father. Few references were made to Hugh Hagan’s demeanour during his trial other than his propensity for passionate violence, John Jordan was ‘cool and collected’ and Ernest Travers was ‘indifferent’ to the frightful evidence produced against him.<sup>713</sup>

According to press and medical reports, the motivations of non-paternal child murderers stemmed from deep-seated hostility. John Jordan reportedly murdered out of revenge. Hugh Hagan was initially sentenced to death but his sentence was commuted after two alienists, including William Orange (Superintendent 1870-1886), examined him and concluded that ‘intense hatred’ had caused his insanity and thus his crime.<sup>714</sup> Compared to the pleas of poverty or grief made in the trials of fathers who were eventually found insane for the murder of their child, these were unlikely to induce any sympathy from the press or in the courtroom.

Fathers convicted for the murder of their child were reportedly driven by similar motives to childless men. The love and devotion insane paternal child-murderers had shown to their children prior to murdering them led some defence counsels to brand the

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<sup>710</sup> ‘The Shocking Tragedy Near Rugby’, *Birmingham Daily Post*, 8 July 1868; ‘Murder of Two Children’, *Lancaster and General Advertiser for Lancaster, Westmorland and Yorkshire*, 10 December 1881.

<sup>711</sup> ‘Shocking Case of Murder Mania in Liverpool’, *Cheshire Observer*, 5 February 1871, p. 5; ‘The Murder in Lansdowne Road’, *Sheffield and Rotherham Independent*, 27 March 1869, p. 11.

<sup>712</sup> ‘Shocking Murder of a Boy: Culprit Caught Red-Handed’, *Aberdeen Weekly Journal*, 10 March 1897; ‘Barbarous Murder’, *Lloyds Weekly Newspaper*, 12 May 1872; ‘A Father’s Terrible Crime’, *Pall Mall Gazette*, 19 August 1895.

<sup>713</sup> ‘Barbarous Murder’, *Lloyds Weekly*; ‘Sensational Evidence in Court’, *Illustrated Police News*.

<sup>714</sup> ‘Barbarous Murder’, *Lloyds Weekly*; D/H14/D2/2/1/779/4, Schedule A.

crime motiveless. The same was not argued during the trials of convicted fathers. An analysis of OBPO indicates that some convicted fathers were led by deceit. On 25 August 1879, James Dilley was executed for the murder of his three-week old daughter. Dilley had a wife and family in Bedfordshire and a mistress, a domestic servant named Mary Rainbow, with whom he had fathered the child, in London. Both Dilley and Rainbow were charged with the murder, but Rainbow was reprieved after the Home Secretary accepted that Dilley had coerced her into helping him commit the crime. At the trial, Dilley was portrayed by Rainbow's defence as a 'dastardly and cruel' man whose seduction had ruined Rainbow's reputation. His adultery and the consequent neglect of his wife and children, along with his alleged coercion of Rainbow to murder their illegitimate child, did not invoke sympathy either from the press or in the courtroom. According to the judge, Dilley's was a deliberate act of murder, motivated by his wish 'to prevent the fact of the birth of the child becoming known to his wife, and to escape the burden of having to support it'.<sup>715</sup> And, echoing press reactions to childless murderers, the judge told Dilley during sentencing that his crime was 'a base, a cruel, and barbarous murder'.<sup>716</sup> Other convicted fathers had reportedly previously abused and neglected their wives and children. Walter Marsh's neighbour allegedly 'begged him [...] to take care of his family' and James Cole was depicted as a violent habitual criminal who abused his wife. And both John Richard Jeffrey's and Clarence Longman's mothers-in-law told the courtroom at their trials that the men had verbally abused their children.<sup>717</sup> Longman also

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<sup>715</sup> OBPO (02 February 2012), August 1879, trial of James Dilley (41) Mary Rainbow (28) (t18790805-698).

<sup>716</sup> 'Central Criminal Court', *Morning Post*, 25 November 1889, p. 3; 'The Hornsey Murder: Sentence', *York Herald*, 11 August 1879, p. 8.

<sup>717</sup> OBPO (02 February 2012), October 1883, trial of James Cole (37) (t18831015-964); OBPO, (27 June 2012), June 1866, trial of Walter Marsh (47) (t18660611-565); OBPO (27 June 2012), September 1866, trial of John Richard Jeffrey (31) (t18660917-757).

refused to work.<sup>718</sup> Convicted fathers thus feature in the Old Bailey trial proceedings as men deficient in what was understood as the innate desire to provide for and protect their children.

John Richard Jeffrey's crime was depicted in a street ballad. Jeffrey had been separated from his wife for some time and had 'formed an illicit connection with another woman'; his son was being raised by his maternal grandmother. The ballad described Jeffrey's crime as a cruel and inhuman murder. He was depicted as a 'sad, a base, and cruel villain' and his unnatural parenting was remarked upon:

Wickedness ran in his mind;  
A child, the villain ought to cherish,  
His offspring which he should adore,  
Seventeen weeks ago he left him,  
At his old Grandmother's door

His little boy names Richard Arthur,  
By the Wretched father, we are told,  
Was cruelly and basely murdered,-  
The child was only seven years old;  
The villain took him to a cellar,  
Resolved his offspring to destroy,  
Tied his little hands behind him,  
And hanged the pretty smiling boy.<sup>719</sup>

The ballad referred to Jeffrey's heart as 'harder [...] than steel'; he was a 'base, inhuman monster' who killed his only child.<sup>720</sup> Another murderer, James Duggin, poisoned his

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<sup>718</sup> Longman reportedly called 'the child a little *sod* more than once. I never saw him hold it in his arms and appear quite pleased with it.' *OBPO* (02 February 2012), November 1889, trial of Clarence Henry Longman (19) (t18891118-53).

<sup>719</sup> Charles Hindley, *Curiosities of Street Literature* (London: Reeves and Turner, 1871), p. 224.

<sup>720</sup> *Ibid.*



wife and six children after he lost his job and faced eviction. The ballad reported sympathetically on this ‘terrible tragedy’.<sup>721</sup> It told of ‘sad affair ‘which has fill’d all around with grief and pain’. Unlike Jeffrey, Duggin ‘lived most happily, with his dear wife and family’ and having lost his job he sent a letter to the police: ‘he had poisoned, he did declare, His wife, and his six children dear.’ Unlike in Jeffrey’s case, where his state of mind was not mentioned, this ballad declared:

It is supposed this wretched pair,  
First poisoned their six children dear,  
Then took the fatal draught themselves,  
Their state of mind no tongue can tell.<sup>722</sup>

Ellen L. O’Brien writes that Jeffrey’s ballad represents the ‘failure of innocence’ and Duggins’s ‘examined the fragility of the family (symbol of moral stability) as a social unit consistently destabilized by capitalist structures.’<sup>723</sup> But, in conjunction with the evidence of newspaper reports and trial transcripts, the ballads also lend support to my argument that paternal infanticide was commonly construed as so counter to ‘natural’ affections that it was grounds of insanity. Childless men who killed children were vilified in the press. A father’s murder of his child was, by contrast, judged according to the perception of motive and previous performance of fatherly duty. Comparison of press representations of insane paternal child-murderers and convicted fathers suggests that the press endorsed a specific paternal identity, with protection and provision, love, temperance and industriousness at its core. The court provided legal reinforcement of such notions: judges and juries condemned the behaviour of convicted fathers who had fallen short of such ideals and tended to see fathers who had previously conformed to

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<sup>721</sup> Ibid., p. 234.

<sup>722</sup> Ibid.

<sup>723</sup> Ellen L. O’Brien, “‘The Most Beautiful Murder’: The Transgressive Aesthetics of Murder in Victorian Street Ballads”, *Victorian Literature and Culture*, 28:1 (2000), 15-37 (pp. 31. 34).

notions of appropriate fatherhood as insane. In comparison, convicted fathers feature in the Old Bailey trial proceedings as men lacking the innate desire, as described by Alexander Bain and Henry Drummond, to provide for and protect their children. Wiener argues that a plea of temporary insanity in male homicide cases was usually dismissed because men could not claim to be adversely affected by pregnancy and childbirth.<sup>724</sup> Henry Seyman, William Brown and Richard Bromley were three paternal child-murderers declared temporarily insane. The passing of this verdict supports Roger Chadwick's argument that 'A theory of temporary insanity was a convenient, if not necessary, explanation of the occasional aberrations of those whose patterns of life they otherwise endorsed.'<sup>725</sup>

Oonagh Walsh argues that female infanticide was considered antithetical to womanhood and thus '[i]nfanticide was treated sympathetically because it was so contrary to gendered expectations that it automatically implied an act of insanity.'<sup>726</sup> A close study of the Broadmoor cases, however, suggests that a more nuanced understanding of how the meanings of gender operated in child-murder trials is needed. Indeed, paternal child-murder was an act deemed so contrary to the expectations of fatherhood it was considered a contradiction of human nature. Jill Newton Ainsley and Meg Arnot argue that in comparison to men, infanticidal women were rarely convicted and hanged in nineteenth-century Britain.<sup>727</sup> But some women were convicted and an examination of these cases highlights some interesting parallels between cases of male

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<sup>724</sup> Wiener, *Men of Blood*, pp. 270-271.

<sup>725</sup> Roger Chadwick, *Bureaucratic Mercy: The Home Office and the Treatment of Capital Cases in Victorian Britain* (New York and London: Garland Publishing Inc, 1992), p. 243.

<sup>726</sup> Oonagh Walsh, 'Gender and Insanity in Nineteenth-Century Ireland', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (Amsterdam & New York: Rodopi Press, 2004), pp. 69-94 (p. 81).

<sup>727</sup> Meg Arnot, 'The Murder of Thomas Sandles: Meanings of Mid-Nineteenth-Century Infanticide', in *Infanticide*, ed. by Jackson, pp. 149-67 (p. 163). There is scholarly consensus that in the nineteenth century women were less likely to be punished for violent crimes than men. Barry S. Godfrey, Stephen Farrall, and Susanne Karstedt, 'Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late-Victorian and Edwardian Period', *British Journal of Criminology*, 45 (2005), 696-720.

and female infanticide. In 1870 two baby-farmers, Margaret Waters and Sarah Ellis, were tried at the Old Bailey for murder, manslaughter, conspiracy and obtaining money under false pretences after one child in their care died and others were found dirty and emaciated.<sup>728</sup> Waters, a childless widow whose motivation for caring for children was considered financial, was convicted and hanged. Ellis, a married (but separated) mother of one, was convicted of the lesser charge of obtaining money under false pretences and sentenced to eighteen months hard labour. Arnot argues that this case ‘emphasised the privilege given to natural mothers’ and suggested that because Ellis was ‘fulfilling the duty of motherhood’ she was spared the capital conviction.<sup>729</sup> But a careful study of representations of murderous fathers suggests that attitudes towards paternal child-murder were more similar to those expressed in cases of female infanticide than has been supposed. The evidence suggests that childless men, bad fathers and neglectful husbands, were convicted and sometimes hanged for child murder, but if it could be shown that infanticidal men had previously fulfilled their duties as husbands and fathers, they tended to be considered insane and committed to Broadmoor.

### **III. Broadmoor**

An examination of the medical reports in patient case files suggests that when they were committed to Broadmoor the causes of insanity attributed to paternal child-murderers generally corresponded with what had been argued at their trials and revolved around poverty, domestic troubles and intemperance. When committed, the majority of paternal child-murderers were downcast, regretful and melancholic. Richard Bromley was sullen, unsettled, and preferred ‘a good rest’ to work in the bake house; George Wilson

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<sup>728</sup> Baby farmers would take in a baby or an infant for payment.

<sup>729</sup> Meg Arnot, ‘Infant Death, Childcare and the State: The Baby-Farming Scandal and the First Infant Life Protection Legislation of 1872’, *Continuity and Change*, 9 (1994), 271-311 (p. 279).

heard voices which caused him ‘nothing but misery and torment.’<sup>730</sup> Alfred Bligh was more troublesome. He was verbally aggressive, refused to get out of bed and was unindustrious. Nicolson reported to the Home Secretary that although Bligh was ‘well and strong physically’ he ‘has steadily declined to work at any industrial occupation and is of a dissatisfied and grumbling disposition – no doubt natural to him.’<sup>731</sup> Bligh was condemned as lazy, marked as unindustrious and was refused conditional discharge. Bligh eventually settled down and was conditionally discharged on 2 February 1897 to the care of his sister and brother-in-law.<sup>732</sup> Bromley and Wilson also worked and improved mentally and they too were discharged; Bromley to his mother and Wilson to his wife. These cases add to what is shown in Chapter Two regarding the expectations placed upon some men to work in the asylum and the requirement to display industriousness before any reference to their potential release was made; thus demonstrating that patients had to show that if they were discharged they would be able to gain and maintain employment in order to provide for themselves and their families.

When childless men were found insane, which sometimes happened following their conviction, the negative journalistic and judicial representations of them were echoed in Broadmoor. Ernest Travers was described by Richard Brayn (Superintendent 1896-1910) as ‘a most plausible, cunning, unscrupulous man, in whom neither the staff nor his fellow patients place any trust or confidence.’<sup>733</sup> The depictions of John Jordan, Hugh Hagan and Frank Brearley in Broadmoor were similar: they were all represented as

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<sup>730</sup> D/H14/D2/2/1/1565, memorandum; D/H14/D2/2/1/811, Schedule A.

<sup>731</sup> D/H14/D2/2/1/1284/29, medical report.

<sup>732</sup> D/H14/D2/2/1/1284/37, warrant for conditional discharge.

<sup>733</sup> D/H14/D2/2/1/1738, letter to the Commissioners.

wild, dangerous, and threatening; a stark contrast to the depiction of allegedly insane fathers who were melancholic and downcast, although well behaved and industrious.<sup>734</sup>

The period between patients' arrival and discharge varied. Broadmoor's admission registers do not list the exact crimes of all the patients committed but an approximation of the average confinement of child murderers can be established using details of the stays of eighty-five male child-murderers committed between 1868 and 1900 and one-hundred-and-ninety-one female child-murderers committed between 1871 and 1900 recorded in the registers. Paternal child-murderers who were conditionally discharged spent an average of eleven years in Broadmoor, whilst their female counterparts spent an average of ten years in the asylum. Maternal child-murderers were 1.5 times more likely to be discharged than paternal child-murderers [Table 5]. In his study of the discharge of infanticidal women from Broadmoor and Perth asylum, Andrews shows that once some women had passed childbearing age and were no longer liable to puerperal insanity, and thus were unlikely to have and murder more children, they were no longer deemed a threat to society and were discharged.<sup>735</sup> There was no similar way to assess the threat paternal child-murderers posed which may explain their lower discharge rate in comparison to maternal child-murderers. The discharge figures for the overall Broadmoor population between 1863 and 1900, though, indicate that women were three times more likely to be discharged than men [Table 6]. This suggests that sex was no more important in determining the release of infanticidal patients than in other criminal lunacy cases. Other factors, including the mental and physical wellbeing of patients whilst in the asylum may have been taken into consideration by the medical

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<sup>734</sup> D/H14/D2/2/1/1492, Frank Brearley's case file; D/H14/D2/2/1/779, Hugh Hagan's case file; D/H14/D2/2/1/754, John Jordan's case file; D/H14/D2/2/1/1738, Ernest Travers's case file.

<sup>735</sup> Andrews, 'The Boundaries of her Majesty's Pleasure', in *Infanticide*, ed. by Jackson, p. 247. Roger Smith made a similar remark in relation to both Bethlem and Broadmoor, *Trial by Medicine: Insanity and Responsibility in Victorian Trials* (Edinburgh: Edinburgh University Press, 1981), p. 24.

officers prior to a patient's release. 28% of paternal child-murderers were discharged from Broadmoor in comparison to 19% of childless men who killed children. Moreover, 71% of childless men committed to Broadmoor died in confinement in comparison to 45% of paternal child-murderers [Table 5]. The previous behaviour of insane paternal child-murderers and their demeanour within Broadmoor may explain why they were more likely to be conditionally discharged or transferred to another asylum than childless men. The fact that they were vilified in the press and condemned by the public (as in Travers's case) may also have been a consideration.

Both men and women who killed their children had a better chance of release than the average Broadmoor patient of the same gender, but having murdered one's own child appears to have made more difference to a man's chance of release than to a woman's: paternal child-murderers were 3.1 times more likely to be discharged than the average male, whilst maternal child-murderers were 1.7 times more likely to be discharged than the average female patient. A patient's release was of course dependent upon factors other than their sex or crime, and their mental and physical wellbeing whilst in the asylum and whether they had friends or relatives willing and able to care for them upon their discharge were also taken into consideration by the medical officers and by the Home Office.

	Non-paternal child- murderers (21)	Paternal child- murderers (58)	Men who killed wife & child (5)	Man who killed wife & grandchild (1)	Non-Maternal child- murderers (5)	Maternal child- murderers (186)
% discharged from Broadmoor	19	28	20	-	0	42
Mean years before discharge	10	11	20	-	-	10
% transferred to another asylum	5	22	40	-	40	15
Mean years before transfer	15	26	11	-	19	21
% who committed suicide	5	2	-	-	-	1
Mean years before suicide	28	1	-	-	-	4
% who died in Broadmoor	71	45	40	100	40	41
Mean years before death	20	22	19	5	22	28
% transferred to Prison	-	-	-	-	20	1
Mean years before transfer	-	-	-	-	2	1
Unknown	-	-	-	-	-	1

Table 5. Duration Child Murderers Stayed in Broadmoor and Mode of Release, 1868-1900.

	Women	Men
% Absolutely Discharged	2	2
% Conditionally Discharged	23	7
% Died	36	40
% Escaped	-	-
% Not Stated	5	5
% Removed	1	-
% Suicide	-	1
% Transferred to an Asylum	30	38
% Transferred to Prison	2	6

Table 6. Means by which all patients were discharged from Broadmoor, 1863-1900.

Following his committal to Broadmoor, paternal child-murderer George Wilson appealed, for the sake of his family, to Sir Warwick Morshead, Chairman of the Council of Supervision, for the Council's help should the question of his discharge arise. He wanted them to 'help me remove the finger of scorn – of a cold-hearted world that is pointed at them so long as I am kept in any asylum – her husband, her father, her brother is shut up in a madhouse'.<sup>736</sup> Wilson objected to being called a madman to the extent that he blamed his crime on alcohol. He was not the only patient to do this; a matter Orange addressed in his Annual Report for 1879:

It is somewhat curious to find that a considerable number of persons who are sent to this asylum are themselves extremely willing to let it be supposed that their mental disability has been entirely caused by drink. Persons of this class appear to much prefer to be regarded as drunkards than as insane persons; they would rather be looked upon as suffering from the effects of their own vicious habits than as afflicted with a disease due, presumably, to circumstances beyond their own control. One very obvious reason for this is, that if it be granted that the insanity was caused by drink, the patient hopes that a

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<sup>736</sup> D/H14/D2/2/1/811, letter to Morshead.



promise to abstain from drink in the future may possibly obtain for him an early discharge.<sup>737</sup>

But an examination of case files suggests that it was not easy for previously intemperate child murderers to be granted a discharge even if they were considered sane.<sup>738</sup> In 1898, three years after his committal, Robert Jones was considered sane and the question of his discharge was raised, but Brayn erred on the side of caution. He informed the Home Secretary that ‘although [Jones] conducts himself satisfactorily under asylum supervision’ his history of intemperance ‘shows that he is of unstable mind’ and he ‘would be liable to relapse if exposed to any worry or anxiety.’<sup>739</sup> Jones progressed well and in 1902 Brayn reported that he

continues to be industrious and well conducted and has not displayed any symptoms of active insanity during the past four years, but [...] there is a history of drink and previous attack, so [...] I think there would be a risk of relapse unless he can be placed in favourable circumstances.<sup>740</sup>

Similar caution was taken in the case of Henry Seyman even though he reportedly ‘conducted himself well and [...] worked steadily in the garden’, was a ‘trusted [...] performer in the asylum band’, had learned to read and write and had ‘voluntarily abstained from beer’ which was given to patients at dinner.<sup>741</sup> Despite Seyman’s progress caution was advised because his ‘insanity and his crime were caused by intemperance’ and thus ‘[s]imilar events might at any future time ensue should he again give way to drinking habits.’<sup>742</sup>

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<sup>737</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum for the year 1879* (London: George E. Eyre and William Spottiswoode, 1880), p. 6

<sup>738</sup> For example, D/H14/D2/2/1/1310, Arthur Ludlow’s case file; D/H14/D2/2/1/1116, Matthew Jackson Hunter’s case file; D/H14/D2/2/1/1277, James Walker’s case file.

<sup>739</sup> D/H14/D2/2/1/1680, medical report, August 1898.

<sup>740</sup> Ibid., letter to the HO.

<sup>741</sup> D/H14/D2/2/1/731/16, medical report. Some child murderers who abstained from beer were conditionally discharged. For example, D/H14/D2/2/1/1277, James Walker’s case file; D/H14/D2/2/1/1479, Joseph Wood’s case file.

<sup>742</sup> D/H14/D2/2/1/731/12, medical report.

The potential future guardian(s) of a previously intemperate patient had to prove that they were not only moral and financially able to support the patient upon discharge, but that they were temperate also. In 1899 Brayn expressed his fears that if Joseph Wood was released he would relapse into intemperate habits ‘and again [become] epileptic and dangerous’; it was thus imperative that he was placed in ‘favourable circles’.<sup>743</sup> The same year, Wood’s brother Charles petitioned for his release. Brayn asked the assistant commissioner of the police to enquire whether Charles was ‘in a position to provide a suitable home’, and it was discovered that Charles ‘cannot be relied on to exercise proper supervision or to keep his brother from intemperate habits, as he is given to intemperance himself.’<sup>744</sup> Wood was discharged the following year into the care of Mr and Mrs Laverty who, unlike Charles, were considered ‘respectable people.’<sup>745</sup>

Before they were discharged, previously intemperate patients had to take ‘The Pledge’ whereby they signed the following statement:

I hereby solemnly promise that, in the event of my conditional discharge from Broadmoor Asylum being sanctioned, I will abstain from all intoxicating drink; and I fully and clearly understand that such discharge will be liable to be revoked at any moment if I fail to keep to the above promise.<sup>746</sup>

If this was broken the warrant of conditional discharge was revoked and the patient returned to Broadmoor.<sup>747</sup> Furthermore, their prospective guardians had to accept an added ‘Drink Clause’ to the terms of conditional discharge whereby they promised to report any alcohol consumption to the Home Office and to Broadmoor. Charles Booth wrote, ‘drinking habits are a serious problem to the community, and many of us know too

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<sup>743</sup> D/H14/D2/2/1/1479, medical report.

<sup>744</sup> D/H14/D2/2/1/1479, letter from Brayn.

<sup>745</sup> D/H14/D2/2/1/1479, medical report.

<sup>746</sup> D/H14/D2/2/1/881, The Pledge.

<sup>747</sup> Attempted wife murderer John Gee broke his Pledge. Soon after Gee’s release from Broadmoor his employer informed Brayn: ‘He neglects both his back and his belly for drink. I [...] cannot restrain him any longer, he fell out of my cart yesterday and I shall not be responsible for him any longer.’ Gee was arrested and returned to Broadmoor. D/H14/D2/2/1/1705, letter to Brayn.

well [...] the ravages caused by insanity and by all forms of physical disorder brought on through the “drinking habit”, so that the community is under an obligation to control these habits among its members.’<sup>748</sup> The guardians of the discharged patient belonged to the community of controlling intemperate habits.

The friends and families of discharged patients sometimes found it difficult to keep track of them. The previously intemperate Edward Abbott was discharged from Broadmoor in June 1883. Afterwards, he wrote to Orange: ‘I am very well and happy in my new home thank God.’<sup>749</sup> But it was not to last. In March 1884 Abbott went missing.<sup>750</sup> An acquaintance of Abbott’s wrote to Orange:

He [Abbott] has shewed [sic] no signs of insanity [...] I have seen a good deal of him and I never came across a more satisfactory case from a religious point of view. He was Confirmed at Christmas and became most regular at his religious duties. He told me about his night wanderings years ago and I hope he may have wandered again but of course there is the possibility of his having drowned himself in the river which runs at the back of Mr Baker’s Mill where he was working.

He reiterated that he believed Abbott was not insane, but theorised that he ‘may have taxed his brain’ following some overtime at work. He was adamant that ‘Abbot has been perfectly sober and in no way whatever can drink be the cause of this.’<sup>751</sup> Indeed, had Abbott relapsed into intemperate habits then his wife, who had signed the Form of Undertaking and who accepted the Drink Clause, would have been at fault for not informing the authorities of the potential threat Abbot posed to himself and to others.

It may be suggested that temperance operated in a similar manner to the menopause in female cases. A drink clause and the Pledge were the only ways to measure (however tentative) the danger a patient posed and the likelihood of relapsing into

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<sup>748</sup> Booth quoted in Jones, ‘Alcohol and National Deterioration’, in *Drink Problem*, ed. by Kelynack, p. 235.

<sup>749</sup> D/H14/D2/2/1/799/25-26, letters to Orange.

<sup>750</sup> D/H14/D2/2/1/799/38, telegram to Orange.

<sup>751</sup> D/H14/D2/2/1/799/29, letter to Orange.

insanity. This measure was not fool-proof, of course, but it was one way Broadmoor's Superintendent and the Home Office could assess the potential threat of a patient once discharged.

The desire to ensure patients remained sane when discharged was seemingly absent in some cases. In September 1886 Nicolson wrote to the Home Office regarding the case of Robert Hallowell and unusually remarked:

There is certainly some danger of his relapsing into insanity, but it is not greater than the danger which there is in hundreds of cases of prisoners discharged at the end of their sentences relapsing into crime. Persons who have committed [...] crimes of violence are constantly being let loose on society with the probability that in many cases they will commit fresh crimes. In this case the crime was committed in insanity, but the man has long been sane [...] We cannot have absolute certainty that he will never commit another crime, any more than we can have absolute certainty that a convict, who has served ten years for manslaughter will never again be guilty of violence – all that is to be looked for is a reasonable probability of safety.<sup>752</sup>

A warrant for Hallowell's conditional discharge was granted and he was released after almost ten years in Broadmoor.<sup>753</sup>

In some cases it is uncertain why patients were not discharged. Richard Oakes, who was committed to Broadmoor alongside his wife for the murder of their son, was considered sane during most of his time at Broadmoor (he was also considered to be sane by the medical officer at Holloway prison during his trial). Oakes unsuccessfully attempted to use the medical evidence at Broadmoor that showed he was sane to secure his discharge, and eventually died in the asylum.<sup>754</sup> There are three reasons why Oakes may not have been discharged. First, the nature of his crime may have been considered too 'distressing and harrowing' and fears may have existed regarding the reaction of the public had the Oakes been released, but this would not explain why other child murderers were discharged. Second, because Oakes was temperate and there was no history of

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<sup>752</sup> D/H14/D2/2/1/905/48, letter to the Home Secretary.

<sup>753</sup> D/H14/D2/2/1/905/56, medical report.

<sup>754</sup> D/H14/D2/2/1/1492, Richard Oakes's case file.

insanity in his family nor did he suffer from epilepsy, there was no way to determine his sanity or to measure his mental condition.<sup>755</sup> Third, the age of his child (eight) may have meant the crime was viewed harshly in comparison to those cases in which infants had been murdered. The latter appeared to make a difference in the case of Robert Hallowell who, although considered sane, was initially refused discharge ‘bearing in mind the circumstances that his son whose life he took was at the time 13 years of age’.<sup>756</sup> This lends some support to Lionel Rose’s argument that judges, the public and juries viewed the murder of a baby less seriously than other kinds of murder because a baby ‘had no self awareness and the public at large did not feel a threat to themselves.’<sup>757</sup>

Chapter One highlights the strained relationships that sometimes existed between men committed to Broadmoor and their wives, who sometimes divorced or left them. It was for this reason that some child murderers were refused discharge. Joseph Wood’s wife was living with another man with whom she had had two children, and there were fears that if Wood returned to his old neighbourhood he would encounter them. Aware of this concern, Wood wrote to Nicolson:

Since I seen [sic] you last I have thought over what you said concerning my wife [...] Sir, you cannot surely mean because my wife as so disgraced herself by having two children since I have been in confinement, that she will be the cause of my detention here. I freely forgive her for any wrong ways she may have acted towards me, and I hope and Trust that she may do well wherever she goes. But at the same time, I deem it a just cause on my behalf, providing I can get my freedom again, that she will be to me as if we had never met.<sup>758</sup>

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<sup>755</sup> Whether patients had ever suffered from epilepsy or were intemperate were two of the questions asked on Schedule A and on the medical certificates at Broadmoor to ascertain whether they had a history of, or were prone to, mental disease. Intemperance and epilepsy were both considered to be a form, sign and cause of insanity. For epilepsy, Maudsley, *Physiology*, pp. 477-490 and *Responsibility in Mental Disease*, 3<sup>rd</sup> edn (London: Henry S. King & Co., London, 1876), pp. 227-249; John Millar, *Hints on Insanity* (London: Henry Renshaw: 1861), pp. 46-47.

<sup>756</sup> D/H14/D2/2/1/905/22, medical report. Hallowell’s son was the oldest child murdered by a man committed to Broadmoor at that time.

<sup>757</sup> Rose, *Massacre*, p. 73.

<sup>758</sup> D/H14/D2/2/1/1479, letter to Nicolson.

Wood was eventually discharged into the care of his friends. The discharge of other patients was straightforward. Paternal child-murderer James Hays was discharged three-years after his committal in part because ‘his domestic circumstances are [...] satisfactory, and his wife would be glad to have him restored to his home.’<sup>759</sup>

#### **IV. Conclusion**

An examination of the cases of men committed to Broadmoor for the murder of children highlights the broad range of insanities that allegedly led to their crimes: in particular intemperance and the pressures associated with fatherhood. The insanities of childless men were more commonly associated with violent passions and emotions. Furthermore, the discussion of intemperance highlights the interaction Broadmoor’s medical officers had with the wider medical community and the positions they took on medical debates occurring outside the asylum. An examination of cases suggest that the verdicts handed down at the trials of child murderers were not always within the bounds of the law and other factors were seemingly at work when a father, who had a motive and had planned the crime, was found insane: namely the character and lifestyle of the defendant. Furthermore, the different tactics used by defence counsels in order to gain an insanity verdict is also apparent: from questioning the cause of a child’s death as in Richard and Amy Oakes’s case to questioning the existence of a motive when a kind and loving father murders his child, as happened in the trials of fathers such as Henry Seyman and William Brown.

This chapter also has a bearing on the broader question of gender. An examination of trial records, medical reports, psychiatric treatises and newspaper articles, questions two previous assumptions of the literature on infanticide: first, the idea that it was only

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<sup>759</sup> D/H14/D2/2/1/830/6, medical report.

women who were thought to be going against nature if they killed their child; and second, the idea that it was only women who regularly successfully pleaded insanity in such cases. The trials and verdicts discussed in this chapter indicate the widespread support and enforcement of a specific model of fatherhood in the Victorian period: loving, caring, temperate and playful, with the desire and drive to financially support and protect one's child. The horror witnesses expressed at the way convicted fathers had previously addressed their children and a neighbour's concern that the intemperate Henry Seyman had stopped playing with his child, indicates that members of the working classes also expected fathers to adhere to this model of fatherhood. These characteristics of the ideal father were discussed by social commentators, such as Kirton, supported with the scientific evidence of Bain and Drummond, and embodied in the works of popular authors such as Trollope. Moreover, insane paternal child-murderers were represented as having accepted what it meant to be a good father and as having committed the crime because of their perceived or real failings in this respect. It was not portrayed as an act borne out of the desire to conceal deceit, nor was it committed in anger or out of revenge, as was the case for convicted child murderers. Rather, it was a selfless act carried out in a state of depression, alone and silently; a final act of mercy for the child they seemingly feared doomed to destitution, failure or murder. In Broadmoor, insane paternal child-murderers were depicted as being generally well-behaved, hardworking and temperate; characteristics that helped determine their discharge from the asylum. On the other hand, childless men were vilified by the press and in the courtroom. In addition, their behaviour at Broadmoor was reportedly disruptive and they were less likely to be discharged.

The following chapter focuses on men as husbands, and examines jealousy as a motive for, and defence of, the murder of wives and sweethearts.

## Chapter Five: Men as Husbands; ‘the fiendish rack of jealousy’

There seems to be an epidemic of jealousy [...] raging throughout the country [...] Husbands are jealous of wives; wives are jealous of husbands; lovers are jealous of one another; and wives, husbands, and lovers seem to be mixed up in jealous promiscuousness, or promiscuous jealousy, or both.<sup>760</sup>

The above declaration, made in *Reynolds Miscellany* in 1863, belonged to a growing discourse dedicated to the discussion and condemnation of jealousy in nineteenth-century Britain. Jealousy had long been condemned. Seventeenth-century Jesuits characterised jealousy as a ‘monstrous’ passion and William Shakespeare described jealousy’s ‘misery’ and ‘venom’ in *Othello*.<sup>761</sup> In the nineteenth century, the passion was discussed in newspapers and periodicals, in fiction, within courtrooms and in medical literature.<sup>762</sup> Works by Stephen Kern, who examines jealousy in nineteenth- and twentieth-century British fiction, and Ronald Rae Mowat who studied *Morbid Jealousy and Murder* in Broadmoor in post-war Britain, are the main existing studies dedicated to the study of jealousy, insanity and crime in Britain.<sup>763</sup> Through an examination of the cases of men committed to Broadmoor for the murder of their wives and sweethearts, this chapter adds to the current literature by examining medical, legal and lay attitudes towards jealousy in the late -nineteenth century.<sup>764</sup> It is shown that in comparison to the

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<sup>760</sup> ‘Jealousy’, *Reynolds Miscellany of Romance, General Literature, Science, and Art*, 7 November 1863, p. 309.

<sup>761</sup> Peter Stearns, ‘Jealousy in Western History: From Past Toward Present’, in *Handbook of Jealousy: Theory, Research, and Multidisciplinary Approaches*, ed. by Sybil L. Hart and Maria Legerstee (Chichester: Wiley-Blackwell, 2010), pp. 7-26 (p. 10).

<sup>762</sup> For jealousy in fiction, Stephen Kern, *The Culture of Love: Victorians to Moderns* (Cambridge, MA and London: Harvard University Press, 1992), pp. 264-280; Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006), pp. 111-133.

<sup>763</sup> Ronald Rae Mowat, *Morbid Jealousy and Murder: A Psychiatric Study of Morbidly Jealous Murderers at Broadmoor* (London: Tavistock Publications, 1966).

<sup>764</sup> An examination of the available case files indicates that of the 186 men committed to Broadmoor for murder or attempted murder between 1864 and 1900, 45 had murdered their wives or sweethearts. This number is likely to be higher because in some cases no specific detail of the crime was given and a number of case files are missing or closed to the public. In these 45 cases insanity was attributed to a number of factors. Bang to the head: D/H14/D2/2/1/1063, Samuel Nelms; Pecuniary worries: D/H14/D2/2/1/1004, Thomas Buckley; Intemperance: D/H14/D2/2/1/974, Thomas Spooner Litherland; Hereditary taint: D/H14/D2/2/1/760, Charles Field; Epilepsy: D/H14/D2/2/1/823, Sylvanus Sweet. Sweet’s case was the first in which a defence of insanity through epilepsy was accepted in a case of wife murder. Martin Wiener, *Men*



prominence of male jealousy in the press and in fiction, there was medico-legal reticence on the subject. An examination of newspaper reports, trial proceedings and asylum records, suggests that there was a medical and legal preference for physical or hereditary explanations of insanity. The chapter is divided into four sections: the first examines representations of jealousy and jealous men in literature and the press; the second considers medical observations on jealousy; the third examines the crimes and trials of jealous men committed to Broadmoor; and the final section examines jealous murderers in the asylum.<sup>765</sup>

## I. Jealousy in Literature and the Press

Twentieth and twenty-first century literature and drama regularly have plots that involve jealousy and it is commonly acknowledged that jealousy may lead to aggressive or violent behaviour and even to murder.<sup>766</sup> Nineteenth-century plays, novels, serialised fiction and the press similarly depicted the harrowing effects jealousy could have on afflicted individuals and their loved ones.<sup>767</sup> Literary scholars have established that nineteenth-century authors of fiction engaged with medical and scientific debates on a range of issues.<sup>768</sup> Many Victorian short stories and serialised fiction dealt with jealousy in marriage and courtship. Anthony Trollope's popular novel *He Knew He Was Right* (1869) was, a critic in the *British Quarterly Review* observed, a 'psychological' study of

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*of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004), p. 277.

<sup>765</sup> Some men were committed to Broadmoor because their jealousy allegedly led them to murder other family members. Both Joseph Harris and Samuel Knight murdered their children. D/H14/A2/1/1/4, Annual Report (1878), pp. 46-47; D/H14/D2/2/1/877, Knight's case file.

<sup>766</sup> Mowat, *Morbid Jealousy*, p. 32; Hildegard Baumgart, *Jealousy: Experiences and Solutions*, trans. by Manfred and Evelyn Jacobson (Chicago and London: The University of Chicago Press, 1990), p. 50.

<sup>767</sup> Author unknown, *Jealousy Exemplified in the Awful Tragic and Bloody History of the Loves and Untimely Deaths of Othello and Desdemona* (London: Hodgson & Co., 1823); R. N. Hutton, *Jealousy: A Novel* (T. C. Newby: London, 1849).

<sup>768</sup> Sally Shuttleworth, *George Eliot and Nineteenth-Century Science: The Make-Believe of a Beginning* (Cambridge: Cambridge University Press, 1984); Lawrence Rothfield, *Vital Signs: Medical Realism in Nineteenth-Century Fiction* (Princeton: Princeton University Press, 1992).

the 'the rise and development of jealous monomania.'<sup>769</sup> Here, such sources are used to explore how jealousy was discussed in nineteenth-century society and to develop an understanding of how it was presented to the reading public.

Peter Stearns writes that for some nineteenth-century Americans 'jealous possessiveness and love went hand in hand.'<sup>770</sup> Although some Britons also believed this, it was more commonly believed that 'an ideal affection will be entirely free from jealousy.'<sup>771</sup> Kern writes that 'the Victorians evaluated jealousy as an unqualified corruption of love'.<sup>772</sup> The literature examined for this chapter supports this conclusion and indicates that journalists as well as authors overwhelmingly regarded jealousy as a 'bad passion' that was 'illogical', 'unnecessary', 'absurd' and 'unreasonable'.<sup>773</sup> Readers of the *Saturday Review* were warned about the 'nightmare' that was jealousy, its hazardous effects including madness, the loss of one's love, aggression and emasculation.<sup>774</sup> Much British fiction also regarded true love as jealousy free. In *He Knew He Was Right* the narrator states that protagonist Mr Trevelyan, who was driven to madness through his jealousy and suspicion of his wife's infidelity with Colonel Osbourne, must have been either mad or evil 'or he could not have tortured as he had done, the woman whom he owed the closest protection which any one human being can give to another.'<sup>775</sup> And in W. Clark Russell's short story 'How He Was Cured' which appeared in *Temple Bar* in 1875, protagonist Herbert Brookes was asked, 'Did you not

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<sup>769</sup> Quoted in Daniel D. Oberhelman, 'Trollope's Insanity Defence: Narrative Alienation in *He Knew He Was Right*', *Studies in English Literature, 1500-1900*, 35:4 (Autumn 1995), 789-806 (p. 790).

<sup>770</sup> Peter Stearns, *Jealousy: The Evolution of an Emotion in American History* (New York and London: New York University Press), p. 28.

<sup>771</sup> In 'The Jealousy of Lovers', *Temple Bar*, 25 (March 1869), 514-523 (p. 522), it was declared, 'love and jealousy will always go hand in hand.'; 'Jealousy', *Saturday Review*, 17 March 1894, pp. 275-276 (p. 276).

<sup>772</sup> Kern, *Culture*, p. 279.

<sup>773</sup> 'Jealousy', *Saturday Review*, 7 March 1863, pp. 298-300 (p. 298); 'Jealousy of Lovers', p. 519.

<sup>774</sup> 'Jealousy', *Saturday Review* (1863), p. 299. Mid-Victorian street ballads also warned against jealousy, Beth Kalikoff, *Murder and Moral Decay in Victorian Popular Literature* (Ann Arbor, Michigan: UMI Research Press, 1986), p. 62.

<sup>775</sup> Anthony Trollope, *He Knew He Was Right* (1869) (Oxford: Oxford University Press, 1996), p. 925.

vow before God to love and cherish Nelly? What man but a coward would have wrung tears out of her meek eyes, chilled her endearments, charged her with thoughts of which she was an innocent as the Angels in heaven?’<sup>776</sup> Serialised fiction such as ‘No Never!’, published in *Every Week* magazine in 1885, and short stories such as ‘Caleb’s Jealousy’, published in the *London Reader* in 1876, focused on jealousy in courtship and belonged to this body of literature which sought to disassociate love from jealousy.<sup>777</sup>

Representations of jealous men in literature were couched in the language of savagery and violence: they were wild and untrusting ‘green-eyed monsters’ who lacked self-control and rationality, thus supporting Gesa Stedman’s conclusion that ‘Excessive passion without control was seen as one of the main causes of mental and physical danger’ in literature.<sup>778</sup> These depictions placed men, emotionally and physically, outside the norms of manliness. Throughout the nineteenth century, representations of jealous men who were courting young women depicted the physical ramifications of a jealous disposition. In her *Jealousy and Revenge Tales* (1845) Eliza Peakes described protagonist Arthur Courtwright’s ‘wild delirium’, ‘degrading distrust’, ‘bursts of frantic passion’ and carefully illustrated ‘the hideous monster’ his jealousy made him.<sup>779</sup> In ‘No, Never!’ the author used overt references to William Shakespeare’s *Othello* to tell the tale of Dougauld McGregor who was courting eighteen-year-old Mona.<sup>780</sup> References are made to ‘[t]he green-eyed monster of jealousy [...] gnawing away at [Dougauld’s] heart’, to his ‘violent

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<sup>776</sup> W. C. Russell, ‘How He Was Cured’, *Temple Bar*, 45 (December 1875), 500-515 (p. 510).

<sup>777</sup> In ‘No, Never!’ Mona declares, ‘Jealousy is not a proof of love’. ‘No, Never!’, *Every Week*, 2 November 1885, 281-284 (p. 284). The story was serialised: 12 October 1885, 233-235; 16 October 1885, 265-267; 19 October 1885, 249-253; M. K. D., ‘Caleb’s Jealousy’, *London Reader of Literature, Science, Art and General Information*, 1 April 1876, 525-526. Also, ‘Disunited on Love and Jealousy’, *London Journal*, 1 September 1870, 121-123.

<sup>778</sup> Gesa Stedman, *Stemming the Torrent: Expression and Control in the Victorian Discourses on Emotion, 1830-1872* (Aldershot: Ashgate, 2002), p. 231.

<sup>779</sup> Eliza Peakes, *Jealousy and Revenge Tales* (London: 1845), pp. 21. 285. 294.

<sup>780</sup> ‘No, Never!’, 12 October 1885, p. 234.

agitation of mind', 'fiercely rolling eyes' and threats of violence.<sup>781</sup> And in 'Caleb's Jealousy' the protagonist, Caleb Moor, whose surname readers could not have failed to link with Othello, the Moor of Venice, feared his betrothed was in love with another man. Through jealousy, the previously kind and caring Caleb became a 'madman' 'a revengeful, dark-browed sort of fellow, with all sorts of wicked thoughts and feelings' and in his jealous state grabbed a rifle with the intention to murder.<sup>782</sup> In comparison to these animalistic depictions, Mr Trevelyan was infantilised and effeminised by his passionate fury: he 'threw himself back on a sofa, and almost wept in despair' and on another occasion 'burst out with an infantile howl.'<sup>783</sup> Trevelyan's unmanliness was explicitly addressed when he was asked, 'can't you be man enough to remember that you are a man.'<sup>784</sup>

The madness of jealous husbands such as Mr Trevelyan and Herbert Brookes was demonstrated further through their obsession and brooding; as Valerie Pedlar writes of Trevelyan, 'he becomes prey to morbid introspection; he has the self-awareness, but not the self-control necessary to prevent this brooding from becoming obsessional.'<sup>785</sup> Even at the height of his madness Trevelyan is never violent towards Emily, and one of the novel's 'most reliable characters', Mr Glascock, declared: '[t]here is a glimmer of sense in all his madness, which will keep him from any actual violence'.<sup>786</sup> This also meant violence against his perceived rival. Unlike in 'No, Never' and 'Caleb's Jealousy' where both Dougauld and Caleb set out to harm their sexual rival, Trevelyan knew that any violence against Colonel Osbourne would be wrong. Historians, including Robert

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<sup>781</sup> 'No, Never!', 2 November 1885, pp. 282-283.

<sup>782</sup> M. K. D., 'Caleb's Jealousy', p. 526.

<sup>783</sup> Trollope, *He Knew*, pp. 307. 310.

<sup>784</sup> *Ibid.*, p. 307.

<sup>785</sup> Pedlar, *Dreadful Visitation*, p. 117.

<sup>786</sup> Lisa Surridge, *Bleak Houses: Marital Violence in Victorian Fiction* (Athens: Ohio University Press, 2005), p. 180; Trollope, *He Knew*, p. 739.

Shoemaker and Martin Wiener, have shown that throughout the eighteenth and nineteenth century male-male violence was increasingly deemed unmanly.<sup>787</sup> In the early eighteenth century, men could be expected to defend their honour with violence which, in turn, would assert their masculinity. Attempts to reform male manners and to civilise society in the late-eighteenth and nineteenth century meant that violence, including dueling, was deemed inappropriate and at odds with respectable male behaviour.<sup>788</sup> Even the ‘madly jealous’ Trevelyan who ‘hated Colonel Osborne with all his heart’ realised he could not harm his rival without tarnishing his own character: ‘It was a regret to him that the days of dueling were over, so that he could not shoot the man.’<sup>789</sup> And in ‘How He Was Cured’, as Herbert Brookes watched his wife dance with another man he knew the only way he could acceptably physically harm him was in his imagination: ‘[he] was engaged in fighting, in imagination, a duel with the baronet, who, in a very few seconds, had been shot (mentally) through the leg.’<sup>790</sup> It is shown later in this chapter that both alienists and men of science believed jealousy stimulated the desire for conflict and that real-life Victorian husbands did not possess the same self-control as their fictional counterparts when it came to their sexual rivals or their wives.

An examination of Victorian literature highlights two distinct causes of jealousy. The first is jealousy caused by the violation of feelings that occurred because of infidelity or unrequited love.<sup>791</sup> The definition of jealousy as the fear of losing one’s beloved went back hundreds of years. In 1611 jealousy was defined in the Bible as ‘when a wife goeth

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<sup>787</sup> Wiener, *Men of Blood*, pp. 40-75; Robert Shoemaker, ‘Male Honour and the Decline of Public Violence in Eighteenth-Century London’, *Social History*, 26:2 (May 2001), 190-208.

<sup>788</sup> Shoemaker, ‘Male Honour’, pp. 193. 196; Wiener, *Men of Blood*, p. 44. Traditionally, the theatrical nature of a duel allowed a man to ‘perform’ his masculinity. It was a demonstration of courage, skill and grace. See, Christopher E. Forth, *Masculinity in the Modern West: Gender, Civilisation and the Body* (Basingstoke: Palgrave Macmillan, 2008), p. 118.

<sup>789</sup> Trollope, *He Knew*, pp. 177. 191.

<sup>790</sup> Russell, ‘How He Was Cured’, p. 503.

<sup>791</sup> For fictional and medical representations of female insanity caused by the loss of a lover, Helen Small, *Love’s Madness: Medicine, the Novel, and Female Insanity, 1800-1865* (Oxford: Clarendon Press, 1996).

aside to another instead of her husband'; in 1711, J. Addison described jealousy in the *Spectator* as 'that Pain which a Man feels from the Apprehension that he is not equally beloved by the Person whom he entirely loves';<sup>792</sup> and in 1871 eminent Victorian minister R. W. Dale defined jealousy as 'the anger and pain of injured and insulted love.'<sup>793</sup> According to some Victorian commentators, destroyed love 'awakens Combativeness to resent the injury, and in some cases Executiveness or Destructiveness, to revenge it. Blighted affection or matrimonial discord will keep Combativeness in a perpetual state of anger. The power of the affections over the entire mental and physical being is great.'<sup>794</sup>

The second factor that led to jealousy was a perceived violation of property: i.e. men believed that their wives or sweethearts belonged solely to them and their jealousy was caused by the fear that someone would steal that property.<sup>795</sup> In the nineteenth century, tales of possession and jealousy were linked by journalists, judges, juries and social commentators to domestic abuse and to the working classes.<sup>796</sup> In her 'Wife-Torture in England' (1878) social reformer Frances Power Cobbe asked:

How does it come to pass that while the better sort of Englishmen are thus exceptionally humane and considerate to women, the men of the lower class of the same nation are proverbial for their unparalleled brutality, till wife-beating, wife-torture, and wife-murder have become the opprobrium of the land?<sup>797</sup>

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<sup>792</sup> 'Jealousy', Oxford English Dictionary Online. December 2012. Oxford University Press. 11 January 2013 [<http://0-www.oed.com.catalogue.ulrls.lon.ac.uk/view/Entry/100958?redirectedFrom=jealousy>].

<sup>793</sup> R. W. Dale, *The Ten Commandments* (London: Hodder and Stoughton, 1871), p. 63.

<sup>794</sup> John William Taylor, *Love, Courtship, And Marriage: How to Read Character by the Walking, Hand-Shaking, etc* (London: L. N. Fowler, 1891), p. 41.

<sup>795</sup> For jealousy and possession, A. Ben-Ze'ev, 'Jealousy and Romantic Love', in *Handbook of Jealousy*, ed. by Hart and Legerstee, pp. 40-54 (p. 44); Jeffrie G. Murphy, *Punishment and the Moral Emotions: Essays in Law, Morality, and Religion* (Oxford: Oxford University Press, 2012), p. 234.

<sup>796</sup> Carolyn Conley shows that that working-class men accused of murdering their wives were nearly 30% more likely to be convicted and 10% more likely to be hanged than middle-class husbands. *Certain Other Countries: Homicide, Gender and National Identity in Late-Nineteenth Century England, Ireland, Scotland and Wales* (Columbus: Ohio State University Press, 2007), p. 127. Towards the end of the nineteenth century awareness of domestic abuse among the middle classes increased. A. James Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London and New York: Routledge, 1992), p. 73. As John Tosh points out, however, it is difficult to ascertain the extent to which middle-classes marriages involved domestic abuse because less was said about it. *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press, 2007), p. 61.

<sup>797</sup> Frances Power Cobbe, 'Wife-Torture in England', *Contemporary Review*, 32 (April 1878), 55-87.

And in his *London Labour and the London Poor* (1861) Henry Mayhew observed that working-class men were 'jealous in the extreme' and 'To see a man talking to their girl is sufficient to ensure the poor thing a beating.'<sup>798</sup> The relationship between working-class husbands and wives was likened by Cobbe and other social reformers to that of 'master and slave'<sup>799</sup>; an analogy associated to 'The notion that a man's wife is his PROPERTY in the sense in which a horse is his property [...] [e]very brutal-minded man, and many a man who in other relations of life is not brutal, entertains more or less vaguely the notion that his wife is his *thing*.'<sup>800</sup> The notion that wives were possessions was linked to jealousy in literature, but it was not the working-class man who was depicted here. In Eliza Lynn Linton's novel *Sowing in the Wind* (1890) the protagonist St. John's jealousy is borne out of his possessiveness towards his wife, Isola, and in *He Knew He Was Right*, a thoroughly insane Trevelyan declared to Emily's father, Sir Marmaduke, 'She is my wife; - my wife; - my wife' before hissing 'she is mine, - mine, -mine!'<sup>801</sup>

William Reddy has explored how emotions are the expression of large changes in society, and in her study of jealousy in nineteenth-century France, Masha Belenky argues that discussions of jealousy manifested during times of social change.<sup>802</sup> It appears that this was also the case in Britain where the 'epidemic of jealousy' coincided with changes in attitudes towards women. During the latter half of the eighteenth century there was growing revulsion towards domestic abuse as a result of what Wiener terms Britain's

<sup>798</sup> Henry Mayhew, *London Labour and the London Poor: The Condition of Earnings of Those That Will Work, Cannot Work, and Will Not Work*, 3 vols (London: Charles Griffin and Company, 1861), VI, p. 46.

<sup>799</sup> Women's rights campaigners' John Stuart Mill and his wife Harriet Taylor depicted lower-class males as 'ferocious savages' who maltreated their 'household slaves.' Mill, 'The Subjection of Women (1869) in *Essays on Sex Equality*, ed. by Alice Rossi (Chicago: Chicago University Press, 1970), pp. 163-6, 235-6; Taylor, 'The Enfranchisement of Women' (1851), in *Essays*, ed. by Rossi, p. 105. The master/slave metaphor was also invoked in discussions on Chartism and to highlight the conditions of the criminal class. Susan Hamilton, 'Making History With Frances Power Cobbe: Victorian Feminism, Domestic Violence, and the Language of Imperialism', *Victorian Studies*, 43:3 (Spring 2001), 437-460 (p. 442).

<sup>800</sup> Cobbe, 'Wife-Torture', p. 62.

<sup>801</sup> Eliza Lynn Linton, *Sowing in the Wind* (London: Chatto and Windus, 1890); Trollope, *He Knew*, p. 736.

<sup>802</sup> William Reddy, *The Navigation of Feeling* (Cambridge: Cambridge University Press, 2001); Masha Belenky, *The Anxiety of Dispossession: Jealousy in Nineteenth-Century French Culture* (Lewisburg: Bucknell University Press, 2008).

‘civilising offensive’, and from the 1840s there was increased outrage towards the killing of women demonstrated by a rise in the number of murder convictions.<sup>803</sup> Fictional portrayals of jealousy in marriage appear to have been tied up with debates on Women’s Rights. The fear of losing possession of one’s wife was portrayed as being exacerbated by newspaper reports of infidelity and divorce that appeared in England following the Matrimonial Causes Act (1857) which caused the power of the husband, as well as wives’ adultery, to come under public scrutiny in the Divorce Court.<sup>804</sup> In *He Knew He Was Right* Trevelyan was ‘mad on the subject of his wife’s infidelity’:

His mind was at work upon it always. Could it be that she was as base as this – so vile a thing, so abject, such dirt, pollution, filth? But there were such cases. Nay, were they not almost numberless? He found himself reading the papers for records of such things from day to day.<sup>805</sup>

Greater freedom for wives and increasing matrimonial rights appeared in fiction to irritate and provoke husbands into jealousy.

The message that it was no longer a man’s prerogative to be possessive and jealous, and that women were no longer to regard their husbands as their superiors, was promoted in literature. Trevelyan struggled with these changes. All he wanted was ‘[t]o be Master in my own house, and to be paramount in my influence over her’; he wanted ‘submission to my will, which is surely a wife’s duty.’<sup>806</sup> Trevelyan never overcame expectations that Emily should adhere to archaic notions of femininity, and was committed to the traditional view of marriage that featured the husband as a source of control in the family.<sup>807</sup> On the other hand, in ‘How He Was Cured’ Herbert Brookes

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<sup>803</sup> Wiener, *Men of Blood*, p. 37.

<sup>804</sup> A. James Hammerton, ‘Victorian Marriage and the Law of Matrimonial Cruelty’, *Victorian Studies*, 33:2 (1990), 269-292.

<sup>805</sup> Trollope, *He Knew*, pp. 361-363.

<sup>806</sup> *Ibid.*, pp. 589-90.

<sup>807</sup> For a man’s role in the home, Tosh, *Man’s Place*, pp. 53-78 and *Manliness and Masculinities in Nineteenth Century Britain: Essays on Gender, Family and Empire* (London: Pearson Longman, 2005), p. 66.



realises the ridiculousness of his jealousy towards his wife's relationship with another man in a dream which 'initiated a beneficial change in his views of his wife's character and love [...] and gave him a new idea on the subject of women's privileges, and on the absurd mistakes jealous husbands are apt to make.'<sup>808</sup>

Authors of fiction used a number of techniques to communicate their message. The first, as has been shown, was the use of *Othello* to depict the detrimental effect of jealousy. Adrian Poole writes that 'The passions which come to violent fruition in Shakespearean (and Greek) tragedy do not often take the same form in the modern world. This is why the Victorians were so thrilled and appalled by *Othello*. It provided models of marital jealousy for many nineteenth-century novelists.'<sup>809</sup> It is shown later on that *Othello* was not only referred to in fiction but also in medical literature and press reports on real crimes. Moreover, authors of fiction were tame in their representation of the effects of jealousy in comparison to journalists and alienists, some of whom praised Shakespeare for his accurate description of the emotions.

Another technique used in fiction was what Belenky terms 'jealous voyeurism' (the 'secretive looking by a jealous lover').<sup>810</sup> Belenky uses a number of French novels, including *Notre-Dame de Paris* (1831), which involve scenes of a jealous man spying on the object of his affection, to show that

Scenes of jealous spying lend themselves so well to literary explorations of jealousy because they represent a physical enactment of the triangular relationship among the lover, the beloved, and the rival; the jealous lover, excluded from action, watches his beloved with the rival. Above all, episodes of jealous voyeurism engage the complex interaction of vision, knowledge, power, and possession that are central to jealousy plots.<sup>811</sup>

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<sup>808</sup> Russell, 'How He Was Cured', p. 514.

<sup>809</sup> Adrian Poole, *Shakespeare and the Victorians* (London: Arden Shakespeare, 2004), p. 98.

<sup>810</sup> Belenky, *Anxiety*, p. 60.

<sup>811</sup> Ibid., p. 59.

Just as Belenky found in her study on France, the jealous voyeur's aim in British fiction was to end the anxiety and suffering that arose from the uncertainty about their beloved's faithfulness.<sup>812</sup> The jealous lover or husband has a need for knowledge which leads him to spy on his beloved and rival in the hope that it provides what Othello termed 'the ocular proof.'<sup>813</sup> In some of the stories examined, 'Caleb's Jealousy' for instance, this spying resolved a man's jealousy because he realised he had been mistaken in his suspicions.<sup>814</sup> On the other hand, jealous husbands tended to end up insane or dead, their jealousy unresolved.<sup>815</sup> This set British literature apart from French where authors tended to end with the brutal murder of the beloved at the hands of their spouse, for example as in Guy de Maupassant's *Fou? (Mad?)* (1882).<sup>816</sup>

## II. Jealousy in Medical and Scientific Literature

An examination of Victorian medical texts and journal articles published in the *Lancet* and the *Journal of Mental Science* demonstrates that in comparison to authors and journalists, alienists and moral philosophers had comparatively little to say about jealousy until the late-nineteenth century.<sup>817</sup> Even then, some physicians were struck by a perceived lack of discussion of the emotion. In 1898 William O'Neill wrote to the *Lancet*: 'Among the multitudinous and multifarious cases of disease reported year after year in the columns of THE LANCET I have not seen a case of that very old and commonplace

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<sup>812</sup> Ibid., p. 60.

<sup>813</sup> Ibid.

<sup>814</sup> Likewise, it was reported in the *Saturday Review* (1863), 'When a man of ordinary feeling realizes clearly that his jealousy is either ridiculous [...] he is very near getting rid of it.' p. 299.

<sup>815</sup> Kern, *Culture*, pp. 268. 280.

<sup>816</sup> Belenky, *Anxiety*, p. 21.

<sup>817</sup> Stephen Kern, *A Cultural History of Causality: Science, Murder Novels, and Systems of Thought* (Princeton and Oxford: Princeton University Press, 2004), p. 190.

complaint, jealousy – or “spirit of jealousy,” as it is named in the Scriptures, where it is fully described and treated.’<sup>818</sup>

Jealousy was indeed a very ‘old and commonplace complaint’ but nineteenth-century alienists appear to have shied away from discussing the passion in detail. There were exceptions, of course. In 1847 Hanwell physician John Millingen wrote extensively about jealousy in his *Mind and Matter Illustrated by Considerations on Hereditary Insanity and the Influence of the Temperament on the Development of the Passions*.<sup>819</sup> And in the 1850s some medical men wrote about jealousy in journal articles, often in the context of a criminal trial.<sup>820</sup> It was not until the 1880s and 1890s that alienists, including George Henry Savage and Henry Maudsley, wrote directly about the passion, and not until 1892 was a detailed description of jealousy included in Daniel Hack Tuke’s *A Dictionary of Psychological Medicine*.<sup>821</sup> There were no medical texts dedicated solely to jealousy.

It is more common to come across a general discussion of the effects of strong passions and emotions than explicit discussions of jealousy. Maudsley highlighted disordered emotion as a distinct psychological problem:

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<sup>818</sup> William O’Neill, ‘A Case of Jealousy’, *Lancet*, 22 January 1898, 223-224 (p. 223).

<sup>819</sup> John Millingen, *Mind and Matter Illustrated by Considerations on Hereditary Insanity and the Influence of the Temperament on the Development of the Passions* (London: J. Hurst, 1847).

<sup>820</sup> John Charles Bucknill, ‘Trial of Robert Handcock for the Murder of his Wife, Phillippa Handcock, at the Devon Winter Assizes, before Mr. Baron Parke, Dec. 10<sup>th</sup>, 1855. Plea of Insanity’, *Journal of Mental Science*, 2 (1856), 245-253 (p. 245).

<sup>821</sup> George Henry Savage, ‘Jealousy’, in *A Dictionary of Psychological Medicine: Giving the Definition, Etymology and Synonyms of the Terms Used in Medical Psychology with the Symptoms, Treatment, and Pathology of Insanity and the Law of Lunacy in Great Britain and Ireland*, ed. by Daniel Hack Tuke, 2 vols (London: J & A Churchill, 1892), VII, pp. 721-723. Although it was not discussed, ‘Love (love thwarted, jealousy)’ was listed as a cause of insanity in the third edition of Bucknill and Tuke’s, *A Manual of Psychological Medicine, Containing the Lunacy Laws: The Nosology, Aetiology, Statistics, Description, Diagnosis, Pathology, and Treatment of Insanity, with an Appendix of Cases*, 3<sup>rd</sup> edn (London: J & A Churchill, 1879), p. 107. Jealousy does not appear to have been mentioned in the first or second editions of the text: *A Manual of Psychological Medicine: Containing the History, Nosology, Description, Statistics, Diagnosis, Pathology, and Treatment of Insanity, with an Appendix of Cases* (Philadelphia: Blanchard and Lea, 1858); *A Manual of Psychological Medicine: Containing the History, Nosology, Description, Statistics, Diagnosis, Pathology, and Treatment of Insanity, with an Appendix of Cases*, 2<sup>nd</sup> edn (London: John Churchill, 1862).

A person who is governed by his feelings is much like one who should live in the stage of simple sensation without going on to the higher stage of perception; and as the stronger sensation the less exact and complete is the perception, so the more active the emotion the less adequate is the cognition.<sup>822</sup>

John Williams, William A. Guy and George Robinson all warned that it was necessary to restrain the passions and emotions in order to avoid insanity.<sup>823</sup> According to Robinson, grief, disappointment, jealousy, anger and remorse ‘depress and harass the feelings, disorder the imagination, and disturb the judgement, until the mind often gives way beneath the pressure of its own woes.’<sup>824</sup> In such descriptions jealousy is a firm cause of mental disease. Other alienists, including Savage, believed that jealousy ‘may occur alone as a symptom of insanity, or combined with other evidences of mental disorder.’<sup>825</sup> In this context jealousy was linked to other diseases, including delusional insanity and monomania.<sup>826</sup>

A few alienists held specific views about the class and sex of the jealous type.

Millingen believed jealousy affected all classes but that the working-class man could not control the effects of the passion:

The fact is that in polite life and in refined society, every one performs a part in a masquerade – seeking to conceal deformities, and mystify his fellow-maskers. The poor cannot afford a mask; [...] they are only disguised in liquor: uneducated, abandoned, they truly may be called ‘natural children’; their only check is fear – their only guide, their reckless passions.<sup>827</sup>

Echoing the observations of journalists, judges, juries and social commentators who observed the working-class background of many jealous and abusive men, Millingen

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<sup>822</sup> Henry Maudsley, *The Pathology of Mind, A Study of its Distempers, Deformities and Disorders* (London: Macmillan and Co., 1895), p. 349.

<sup>823</sup> John Williams, *Insanity, its Causes, Prevention, and Cure; Including Apoplexy, Epilepsy, and Congestion of the Brain*, 2<sup>nd</sup> edn (London: John Churchill, 1852), p. 29; William A. Guy, *The Factors of the Unsound Mind with Special Reference to the Plea of Insanity in Criminal Cases and the Amendment of the Law* (London: Thos. De La Rue, 1881), p. 127.

<sup>824</sup> George Robinson, *On the Prevention and Treatment of Mental Disorders* (London: Longman, Brown, Green, Longmans & Roberts, 1859), p. 136.

<sup>825</sup> Savage, ‘Jealousy’, p. 721.

<sup>826</sup> George Henry Savage, *Insanity and Allied Neuroses: Practical and Clinical* (London and New York: Cassell, 1884), pp. 237. 263; John Charles Bucknill, ‘The Diagnosis of Insanity’, *Journal of Mental Science*, 2 (1856), 229-245 (p. 244).

<sup>827</sup> Millingen, *Mind*, p. 384

believed that working-class husbands did not possess the self control to stop themselves committing ‘ferocious deeds’ against their wives when they suspected infidelity, whereas ‘it is beneath the dignity of a well-bred man to ill-use a woman by violent acts’.<sup>828</sup>

Millingen’s association between class and jealousy was not a common feature of medical discussions. By comparison, the gendering of jealousy was discussed in detail.

In February 1898, Harry Campbell, editor of the *Practitioner*, wrote that although jealousy ‘is equally developed in either sex’ before marriage,

after marriage it is much more pronounced among the women [...] not because they have a greater disposition to it but provocation is greater in their case. [...] [M]an is descended from polygamous ancestors and to pretend that he does not still retain a large measure of the polygamous instinct is to wilfully shut one’s eyes to facts.<sup>829</sup>

Other alienists described jealousy in a similar way to hysteria, something French alienists also did.<sup>830</sup> Savage, who wrote the entry on jealousy in Tuke’s *Dictionary*, believed the passion manifested in women more so than men, and associated it with marriage, pregnancy and the menopause.<sup>831</sup> Maudsley also associated jealousy to women and to marriage and the menopause. He also linked it to intemperate and childless women and described jealousy as the ‘craving of the barren womb’ expressing ‘itself in feelings of disquietude and irritable discontent, in exacting demands, in uneasy suspicions.’<sup>832</sup>

In 1894, the *Saturday Review* declared ‘[t]here seems to be [...] no reason for thinking that women have jealousy all to themselves. The opinion is not warranted by history, by poetry, or by experience.’ The works of William Shakespeare and Moliere, it said, proved this:

that [Moliere] was jealous we have good enough reason to believe, and his jealous characters, as Don Garcie De Navarre and Sganarelle, are men, as a rule. In Shakespeare,

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<sup>828</sup> Ibid., p. 382.

<sup>829</sup> Harry Campbell, ‘A Case of Jealousy’, *Lancet*, 5 February 1898, 402-403 (p. 403).

<sup>830</sup> Belenky, *Anxiety*, p. 49.

<sup>831</sup> Savage, ‘Jealousy’, p. 721.

<sup>832</sup> Henry Maudsley, *The Physiology and Pathology of Mind* (London: Macmillan and Co., 1867), p. 327.

from Othello and Leontes down to Master Ford, we have jealous men in abundance; but of jealous women it is difficult to remember any one beside Cleopatra and Adriana.<sup>833</sup>

Some alienists and men of science acknowledged male jealousy: Savage in his discussion of young men and Charles Darwin in his discussion of the jealous type, but jealousy appears to have been primarily associated with women.<sup>834</sup>

Insane jealousy, like all other forms of insanity, was presumed to have either a moral or physical cause. Alienists commonly associated jealousy with hereditary insanity, congenital defects and with physical defects of the body. Savage, for instance, cited masturbation, impotence and diabetes as causes of the passion.<sup>835</sup> Authors of fiction tended to cast jealousy as a disease caused by the imagined indiscretion of a lover or spouse, and in Savage blamed jealousy on the ‘artificial relationships of society’ such as marriage, where the absence of a husband ‘may lead to ideas of neglect, which grow into insane jealousy.’<sup>836</sup> Other alienists, including Thomas Clouston and Henry Maudsley, also linked jealousy to suspicion.<sup>837</sup> Such observations belonged to wider discussions on morbid introspection, a condition written about by number of nineteenth-century alienists including Clouston, Maudsley, Charles Mercier, Daniel Hack Tuke and William Bevan Lewis. It was the ‘turning of the mind inwards upon itself to the exclusion of external impressions.’<sup>838</sup> Alienists warned against introspection and believed that ‘the continued Attention upon a certain idea gives it a dominant power’ over the mind and the body.<sup>839</sup>

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<sup>833</sup> ‘Jealousy’, *Saturday Review* (1894), 275- 276.

<sup>834</sup> Savage, ‘Jealousy’, p. 722. It was reported in the *Saturday Review* (1894) that Darwin had shown that ‘All males are jealous, even male salmon, which fight ferociously for the fair, and very funny it is the spectacle, as they drive at each other.’ p. 275.

<sup>835</sup> John Milner Fothergill, ‘The Mental Aspects of Ordinary Disease’, *Journal of Mental Science*, 20 (October 1874), 387-409 (p. 406); Savage, ‘Jealousy’, pp. 722-723.

<sup>836</sup> George Henry Savage, ‘The Influence of Surroundings on the Production of Insanity’, *Journal of Mental Science*, 37 (1891), 529-535 (p. 534).

<sup>837</sup> Thomas Clouston, *Clinical Lectures of Mental Diseases* (London, J. & A Churchill: 1883), p. 255; Maudsley, *Pathology*, p. 327.

<sup>838</sup> Michael J. Clark, “‘Morbid Introspection’, Unsoundness of Mind, and British Psychological Medicine, 1830-1900’, in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 vols (London: Routledge, 1985-88), VIII (1988), pp. 71-101 (p. 73).

<sup>839</sup> William Carpenter quoted in *Ibid.*, p. 79.

Affected men, it was assumed, lost their self control and ability to control their will which led them to commit acts they knew were wrong, including murder.

Like journalists and authors of fiction, some alienists also associated sexual jealousy to possession and the fear of losing a partner to another.<sup>840</sup> Millingen believed that jealousy was the desire to

possess *solely* what we value and enjoy, accompanied with a constant source of uneasiness from the fear of being deprived of that possession, and which engenders a feeling of [...] hostility towards any person whom we may think likely (probably or improbably) to despoil us of it.<sup>841</sup>

In the first edition of his *Descent of Man* (1871) Darwin suggested that sexual jealousy was a universal instinct amongst males of all species. And, contrary to Harry Campbell's argument that men were innately polygamous, he observed that sexual jealousy prompted each male to want to possess his own female partner, and so argued that monogamy was innate to man and other animals.<sup>842</sup> In the second edition of the text Darwin discussed the role of sexual jealousy in human evolution further and described the wars that had been occurring for generations between men motivated by their desire to possess women: 'nam fuit ante Helenam mulier teterrima belli causa' ['For even before Helen (of Troy) a woman was a most hideous cause of war'].<sup>843</sup> Darwin characterised man as 'the rival of other men; he delights in competition.'<sup>844</sup> Thus, violent sexual aggressiveness was a biologically male-linked trait. It was, as Martin Wiener writes, "'a man's crime" *par excellence*'.<sup>845</sup> The belief that sexual possession and male rivalry were inherent male

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<sup>840</sup> Maudsley, *Pathology*, p. 377; Savage, 'Jealousy', p. 721.

<sup>841</sup> Millingen, *Mind*, p. 377.

<sup>842</sup> Gowan Dawson, *Darwin, Literature and Victorian Respectability* (Cambridge: Cambridge University Press, 2007), pp. 75-76.

<sup>843</sup> Charles Darwin, *The Descent of Man, and Selection in Relation to Sex*, 2<sup>nd</sup> edn (London: John Murray, 1879), p. 627.

<sup>844</sup> *Ibid.*, p. 629.

<sup>845</sup> Wiener, *Men of Blood*, p. 201.

traits puzzled some physicians. To Harry Campbell it indicated that man had not fully evolved, and J. Kellogg wrote:

Men sometimes view their wives very much as they do fine houses, lands, horses, or other valuable possessions. It is needless to remark on the gross selfishness of this view of marriage. The natural, inalienable rights of every human being render it impossible for anyone to become proprietor over another.<sup>846</sup>

Kellogg's opinion echoed those of social commentators who wrote of the immorality of possession and who described the ideal relationship between husband and wife as 'comradeship – a standing of shoulder to shoulder.'<sup>847</sup>

Authors of fiction and journalists wrote about the disastrous effects jealousy had on a man's body and mind, and hinted at the potentially fatal consequences of the disease: he became brute-like and potentially dangerous. But he might be cured if he could see the wrongs of his ways and the absurdity of his delusions. Some alienists were more pessimistic in their outlook. Clouston, for instance, believed most cases of jealous (delusional) insanity were 'incurable'.<sup>848</sup> On the other hand, Savage believed the afflicted could be cured if treatment was 'of the so-called moral kind, such as a change of surrounding and companionship rather than medicinal.'<sup>849</sup> The recovery rates of some jealous patients committed to Broadmoor are examined later in the chapter to see if the moral treatment implemented at the asylum was successful in curing insane jealousy.

Alienists were more forthright when it came to associating jealousy with murder than authors of fiction were. To alienists, jealous individuals witnessed proof of infidelity in the most innocent circumstances. Maudsley wrote that a husband who suspects his wife of infidelity 'finds arguments of confirmation in the most innocent circumstances, which

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<sup>846</sup> Campbell, 'A Case of Jealousy', p. 403; J. Kellogg, *Man the Masterpiece. Or, Plain Truths Plainly Told, About Boyhood, Youth, and Manhood* (London: International Tract Society, 1894), p. 166.

<sup>847</sup> Annie S. Swan, *Courtship and Marriage And the Gentle Art of Home-Making* (London: Hutchinson and Co., 1893), p. 41

<sup>848</sup> Clouston, *Clinical Lectures*, p. 268.

<sup>849</sup> Savage, 'Jealousy', p. 723.



he torments himself [...] with persistently spying into and misconstruing [...] [he] is blind to the plainest proofs of his unreason.'<sup>850</sup> And so contrary to the depictions of authors of fiction, acts of jealous voyeurism did not lead to closure but pulled men further into the depths of madness. As a result, assault, homicide and suicide occurred. American alienist Theodore H. Kellogg declared: 'Jealousy is a veritable demon among emotions, and there is probably no keener torment than the fiendish rack of jealousy, to which the sequel is not infrequently suicide, homicide, or insanity.'<sup>851</sup> Other alienists also drew upon the darkest themes related to jealousy, including madness and murder, and quoted the Bible and *Othello* to warn against its potentially devastating results. William O'Neill quoted the Song of Solomon: 'Jealousy is cruel as the grave; the coals thereof are coals of fire which hath a vehement flame.'<sup>852</sup> And Savage wrote:

Some young men [...] get false ideas to the love of certain girls, and make foolish offers of marriage and will not be discouraged, they may murder the girl in a fit of insane jealousy [...] In married men insane jealousy is frequently associated with feelings of loss or desire [...] [and] once start the idea as in the mind of Othello, and no one can tell how, under favouring conditions of mental instability, the unreasonable growth may develop.<sup>853</sup>

The work of alienists on jealousy echoed mid-nineteenth-century French views about the passion. T. H. Kellogg's vision of jealousy, for example, resembled that of Auguste Debay who, in his *Philosophie du Mariage* (1849), defined jealousy as 'the most ferocious of passions; it drives mortals to all possible excesses, to madness, to

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<sup>850</sup> Maudsley, *Pathology*, p. 325.

<sup>851</sup> Theodore H. Kellogg, *A Text-Book on Mental Diseases For the Use of Students and Practitioners of Medicine* (London: J & A Churchill, 1897), pp. 120-121.

<sup>852</sup> O'Neill, 'A Case of Jealousy', p. 224.

<sup>853</sup> Savage, 'Jealousy', p. 722. Also, L. F. Winslow, *Mad Humanity: Its Forms Apparent and Obscure* (London: C. A. Pearson, Ltd., 1898), p. 156; David Nicolson, 'An Address on Mind and Motive: Some Notes on Criminal Lunacy', *BMJ*, 13 September 1913, 641-645 (p. 643). Shakespeare was quoted because he had a reputation for his accurate descriptions of the passions. A. O. Kellogg, assistant physician of the State Asylum in Utica, New York, wrote that Shakespeare possessed 'extraordinary psychological knowledge'. He added, 'after near two centuries and a half, we have little to add to what [he] appears to have known of these intricate subjects.' *Shakespeare's Delineations of Insanity, Imbecility and Suicide* (New York: Hurd and Houghton, 1866), pp. 9. 10. Also, Stanley Wells, *Shakespeare, Sex, and Love* (Oxford: Oxford University Press, 2010), p. 197.

suicide, to murder!’<sup>854</sup> Some contemporaries would have preferred such similarities never to have occurred. Carolyn Conley and Wiener both suggest that high conviction rates of jealous husbands who murdered their wives can be explained by the fact that crimes of passion were associated with Europeans.<sup>855</sup> Wiener writes that intolerance towards crimes of passion was a ‘marker of British identity and superiority’ and late-Victorian newspapers complained of the habit of French juries of acquitting both husbands and wives of the murder of their spouses.<sup>856</sup> The research undertaken for this chapter suggests that jealousy was a crucial factor in some English cases. In 1863, the *Saturday Review* remarked, ‘it seems never to occur to any one that jealousy is the English social vice par excellence’, and argued that contrary to popular opinion, jealousy ‘is developed in a thousand minute forms throughout English society to an extent hardly dreamt of abroad.’<sup>857</sup> Furthermore, and drawing from the work of the criminal anthropologists who are discussed in Chapter Three, in his *The Criminal* (1895) Henry Havelock Ellis acknowledged the existence of ‘criminals of passion’ in Britain.<sup>858</sup> Here was a man

usually [...] of wholesome birth and honest life, possessed of keen, even exaggerated sensibilities, who, under the stress of some great, unmerited wrong, has wrought justice for himself. Stung by some sudden madness by some gross insult to his wife or wrong to his daughter, he makes an attempt on the life of the offender [...] his crime is a solitary offence in his life.<sup>859</sup>

Criminals of passion in Britain thus existed in theory. Yet insane jealousy and provocation (particularly infidelity) were rarely accepted as a defence in late-Victorian Britain.

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<sup>854</sup> Debay quoted in Belenky, *Anxiety*, p. 28.

<sup>855</sup> Conley, *Certain*, p. 155.

<sup>856</sup> Wiener, *Men of Blood*, p. 235. For crimes of passion in France, Ruth Harris, *Murders and Madness: Medicine, Law and Society in the Fin de Siècle* (Oxford: Clarendon Press, 1989), pp. 285-320.

<sup>857</sup> ‘Jealousy’, *Saturday Review* (March 1863), 298-300.

<sup>858</sup> Henry Havelock Ellis, *The Criminal*, 2<sup>nd</sup> edn (London: Walter Scott Ltd., 1895), pp. 2. 145.

<sup>859</sup> *Ibid.*, p. 2.

### III. Real-Life Crimes and Trials

Through an analysis of newspaper reports and trial proceedings, this section examines the crimes and trials of real-life jealous murderers committed to Broadmoor in order to do two things: to explore representations of jealous men and to compare the visibility of jealousy in the courtroom to discussions of the passion in fiction, newspapers and medical literature.

The first two stanzas of the poem 'Love' which appeared in *Tinsley's Magazine* in 1876, linked love and jealousy:

Say is there a rare gem on earth or above  
That can dim for a moment the crystal of love?  
Though the emerald is green as the waves of the deep,  
Beneath it the dark hues of jealousy sleep.

Though the ruby of passion is ruddy and bright,  
There is blood in its lustre and flame in its light;  
And the passionless sapphire is cold in its dye,  
Though blue as the tints of the midsummer sky.<sup>860</sup>

That there was 'blood in its lustre' the Victorian public could have had no doubt. Newspapers were full of reports of supposedly doting men murdering (or attempting to murder) their wives and sweethearts, and in street literature the passions were explicitly displayed, the best selling crime being the murder of a young woman by her jealous lover.<sup>861</sup> In the cases examined for this chapter, Anthony Owston openly declared his love

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<sup>860</sup> 'Love', *Tinsley's Magazine*, 18 (April 1876), p. 378.

<sup>861</sup> Wiener, *Reconstructing*, p. 22.

for his wife before and after murdering her, and Frederick Marshall was reportedly deeply in love with his former fiancée Laura before he stabbed her through the heart.<sup>862</sup>

The question of what motivated men to murder their wives and sweethearts arises. Trollope's *He Knew He Was Right* portrayed the visibility of female infidelity and divorce in the press as exciting suspicion and jealousy in men. The extent to which this was the case for Broadmoor's patients is questionable. In none of the cases examined did patients refer to press reports when attempting to explain their crime and an examination of patients' medical certificates suggests literacy levels were low.<sup>863</sup> They may, of course, have heard others discussing stories of divorce and infidelity they had either read in the press or had personally experienced. In his Presidential Address to the Medico-Psychological Association in 1895, Nicolson highlighted three emotions that he believed were at the root of all crime: acquisitiveness ('the desire to seize and take possession of'); malice ('in the form of anger, resentment, destructiveness'); and lust.<sup>864</sup> An examination of the Broadmoor cases suggests the existence each of these emotions.

The case of Anthony Owston fits into wider contemporary ideas of jealousy and possession discussed in literature and medical treatises. Owston was committed to Broadmoor after he murdered his wife, Jane. One evening Owston was at home with Jane and his mother-in-law. It was reported in the press that Jane went upstairs and a 'distressed' and tearful Owston told his mother-in-law: 'I cannot live without Jane, I loved her as a boy and I love her as a man.'<sup>865</sup> Owston followed Jane upstairs and

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<sup>862</sup> 'The Murder and Attempted Suicide at Bradford', *Leicester Chronicle and Leicestershire Mercury*, 8 February 1879; 'The Woolwich Murder', *Morning Post*, 6 January.

<sup>863</sup> The 'Education' of Anthony Owston, Matthew Cook, Daniel Beloe and Joseph Cantrill, some of Broadmoor's allegedly jealous patients, was recorded as 'imperfect'. D/H14/D2/2/1/963/2, Schedule A; D/H14/D2/2/1/714/1, Schedule A; D/H14/D2/2/1/366/1, Schedule A; D/H14/D2/2/1/1256/3, Schedule A.

<sup>864</sup> David Nicolson, 'Presidential Address Delivered at the Fifty-Fourth Annual Meeting of the Medico-Psychological Association, Held in London, 25<sup>th</sup> and 26<sup>th</sup> July, 1895', *Journal of Mental Science*, 41 (October 1895), 567-591 (pp. 574-575).

<sup>865</sup> 'The Murder and Attempted Suicide at Bradford', *Leicester Chronicle*.

murdered her. Alexander Bain described the pain of losing loved ones as ‘deep and intense’ and described the ‘misery and distress’ that occurred as a result.<sup>866</sup> Owston seemingly epitomized this. He was represented in the press as wretched; he refused to speak at the inquest but reportedly wrote on a piece of paper:

I loved her dearly [...] She said she would leave me [...] I’ve been jealous some time [...] I have been certain they intended to run away. I am guilty, and I hope she is dead [...] Let me die. I’ve begged of her to live with me, as I could not give her up.<sup>867</sup>

Wiener shows that as the nineteenth-century progressed, instances of wife murder after wives had threatened to leave or had left their husbands increased.<sup>868</sup> He writes that changing attitudes towards marriage contributed to this; that the spread of companionate domesticity made husbands dependent on the love and support of their wives. Representations of Owston in the press support this conclusion; they suggest that he was fraught at the apparent failure of his marriage and home-life.

In fiction, middle-class men were depicted as being particularly concerned with harming their sexual rivals. All of the jealous men committed to Broadmoor were working class (just as social commentators and some alienists’ described) and, as Roger Chadwick shows was generally the case in nineteenth-century Britain, their violence was directed primarily towards their wives and sweethearts.<sup>869</sup> Owston was an exception. According to *The Times*, having murdered his wife Owston proceeded to the workplace of the man he believed she was having an affair with, ‘bounded through a small window into [his] shop’ and attacked him.<sup>870</sup> Unlike the fictional Mr Trevelyan or Herbert Brookes, Owston could not control that instinctive male urge to fight his sexual rival, as

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<sup>866</sup> Alexander Bain, *The Emotions and the Will*, 3<sup>rd</sup> edn (London: Longman, Green and Co., 1875), p. 146.

<sup>867</sup> ‘The Murder and Attempted Suicide at Bradford’, *Leicester Chronicle*.

<sup>868</sup> Martin Wiener, ‘The Sad Story of George Hall: Adultery, Murder and the Politics of Mercy in Mid-Victorian England’, *Social History*, 24:2 (1999), 175-195 (p. 192).

<sup>869</sup> Roger Chadwick, *Bureaucratic Mercy: The Home Office and the Treatment of Capital Cases in Victorian Britain* (New York and London: Garland Publishing Inc., 1992), p. 356.

<sup>870</sup> ‘Charge of Murder’, *The Times*, 18 November 1878, p. 6.

described by Darwin. Instead, he epitomized Savage's definition of jealousy as 'a natural feeling [that] stimulates the males to fight and thus has aided in the struggle for existence, leading to the survival of the fittest.'<sup>871</sup>

The fear of losing their wives to another man played on the minds of many men committed to Broadmoor. In 1881 seventy-three-year-old James Hughes attempted to murder his 'much younger' wife, Anne, whilst they were both inmates of the City of London Union, a workhouse in Holloway. A reportedly jealous Hughes had been violent towards Anne on a number of occasions because he was (wrongly) under the impression she had been having an affair with one of the officials.<sup>872</sup> And in 1884 George Longmore voluntarily readmitted himself into Broadmoor following suspicions about his wife's behaviour. Longmore's brother wrote to Nicolson:

He married a very young girl for his wife, apparently very unsuitable for a wife, she had had a farmer's acquaintance, but had given him up for George. Since their marriage he has occasionally found his wife and her former acquaintance standing near his home laughing, and jesting, after which he appeared very much depressed. To this I attribute as being the chief cause for his returning to Broadmoor.<sup>873</sup>

Even if couples were not married or living together, some men appear to have felt that women were their possessions.<sup>874</sup> One of the changes to occur at the end of the eighteenth century was that young people began to court whom they liked rather than whom their parents thought best.<sup>875</sup> The resultant rise in companionate marriage based on romantic

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<sup>871</sup> Savage, 'Jealousy', p. 721. The killing of a sexual rival was dealt with leniently in the Victorian courtroom. Wiener, *Men of Blood*, p. 202. In his Presidential Address, Nicolson implied that there were different degrees of criminality: 'the [...] question of the criminality – or the moral intensity – of a particular crime has reference to the external circumstances in which the crime is committed, and to the motive which more directly led up to it.' He continued, 'the man who kills his neighbour, whom he has caught in the act of adultery with his wife, is a criminal of a very different sort from the man who murders his neighbour in order that he may marry his widow.' 'Presidential Address', p. 576.

<sup>872</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 29 October 2012), August 1881, trial of James Hughes (73) (t18810802-725).

<sup>873</sup> D/H14/D2/2/1/1212/17, letter to Nicolson.

<sup>874</sup> Conley, *Certain*, p. 113.

<sup>875</sup> Edward Shorter, *The Making of the Modern Family* (London: William Collins Sons and Co., 1976), p. 86; Lawrence Stone, *Family, Sex and Marriage in England 1500-1800* (London: Weidenfeld and Nicolson, 1977).

love presented new opportunities for jealousy in courtship. This seems to have been the case in 1884 when twenty-one-year-old Frederick Marshall murdered seventeen-year-old Laura Wilson, the girl he had until just days before her murder been engaged to marry. Laura called off the engagement after Marshall's jealousy over her friendship with another man became too much to bear after Marshall wrote a number of letters to her and to her father. These letters were read out at the inquest and printed in the press where they were represented as indicative of Marshall's possessiveness and insane jealousy.

Marshall's letters suggest that he wanted sole possession of Laura: he signed them, 'From your ever true lover' and 'I remain your only lover.'<sup>876</sup> Francoise Barret-Ducrocq's study of working-class sexuality in the nineteenth century indicates that the way Marshall signed his letters to his sweetheart was standard.<sup>877</sup> Moreover, according to one late-Victorian advice manual, the desire to 'own' one's sweetheart was full of pleasure:

there is that [...] delight of the courting days – the delight which comes from the enchanting anticipation of possession. [...] Each sweetheart is consumed with a devouring ambition to own the other [...] "My beautiful, *my own*," exclaims the poetic Lothario, and every lover wants to follow him with the exclamation.<sup>878</sup>

But Marshall's were not typical love letters; they did not contain the anecdotes, jokes and joy other scholars have found in their examinations of the artefact.<sup>879</sup> Rather, Marshall's declarations of love were juxtaposed with threats, blackmail and angst. His desire to possess Laura was seemingly more threatening than loving and was full of torment rather than enchantment. It was established at the inquest and subsequently reported in the press

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<sup>876</sup> 'The Woolwich Murder', *Morning Post*, 6 January.

<sup>877</sup> Barret-Ducrocq does not comment on Marshall's case but the love letters cited in the book suggest this was so. *Love in the Time of Victoria: Sexuality, Class and Gender in Nineteenth-Century London* (London and New York: Verso, 1992), pp. 115. 118.

<sup>878</sup> J. Cuthbert Hadden, *Are You Married? Papers on Love, Courtship, Marriage and Kindred Subjects* (Glasgow: Morison Brothers, 1894), p. 25.

<sup>879</sup> Barret-Ducrocq, *Love*, pp. 116-117.

that Marshall and Laura had a sexual relationship.<sup>880</sup> This intimacy seemingly aggravated Marshall's feelings of ownership and he wrote Laura the following letter which, *Lloyds Weekly Newspaper* believed, 'contained threats of a very serious nature':

you are a deceitful to [sic] faced young woman. You said in bed you'd be true to me [...] If you won't see me on Sunday I will see Charlie and tell him I have been with you and slept with you 4 nights, and your father I will write [...] and tell him the same [...] if you mean to not have me tell me and have no one else and if you let me sleep [with you] [...] one more night I will say nothing to Charlie or your father or no one [...] if I don't see you or hear from you before Wednesday night I will do as I say. I feel nearly mad to think all our days and hours are spent all for nothing. I made up my mind to have you [...] you ought to be afraid of dropping dead the oaths you've taken always to me [...] Write soon dear Laura ( a number of crosses)

From your ever true lover

Fred (three crosses)<sup>881</sup>

It was reported at the inquest that Laura's father thought Marshall was 'peculiar' and warned him to stay away from their home.<sup>882</sup> But Marshall took little notice and began scaling their garden wall to engage in acts of jealous voyeurism.<sup>883</sup> Unlike what happened to his fictional counterparts, Dougauld and Caleb, however, Marshall's spying exacerbated his jealousy causing him to become increasingly threatening, as Maudsley believed it did. Marshall told Laura's father, 'I mean to have her [...] I know no one else will.'<sup>884</sup> And he began to end his letters with remarks such as 'Change your love once more to me dearest or I am lost to the world [...] You ought to be burnt if you'll not

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<sup>880</sup> This was not unusual for betrothed members of the working classes, Barret-Ducrocq, *Love*, p. 102; Ginger Frost, *Promises Broken: Courtship, Class, Gender in Victorian England* (Charlottesville and London: University Press of Virginia, 1995), p. 90.

<sup>881</sup> 'The Shocking Murder at Woolwich', *Lloyds Weekly Newspaper*, 4 January 1885.

<sup>882</sup> D/H14/D2/2/1/1239/6, memorandum; 'The Woolwich Murder', *Morning Post*, 6 January.

<sup>883</sup> Marshall wrote to Laura, 'You got up [to] his concertina to play [...] and he went out to get some beer and when he came in you was laughing and talking with him and it's a wonder I did not do something to him when he went out in the yard. I was over the fence watching you, [if] [...] I see you in there stopping while his [sic] in there by the Heaven above I'll swing for you.' 'The Woolwich Tragedy', *Morning Post*, 31 December 1884, p. 6.

<sup>884</sup> 'The Woolwich Murder', *Morning Post*, 6 January.



change.’<sup>885</sup> Marshall associated these violent thoughts with his mental state and told

Laura: ‘I am not very well I feel nearly mad when I think of you.’<sup>886</sup>

Following the inquest, Marshall was bound for trial at the Old Bailey and transferred to Clerkenwell Gaol. The Prisons Act (1865 and 1877) stipulated that all prisoners in England and Wales had to be regularly subjected to a medical inspection. As such, Clerkenwell’s Prison Medical Officer (PMO) examined Marshall. He found that he suffered from ‘constant’ head pain, ‘does not understand the gravity of the crime’, and has ‘no comprehension of moral obligation.’<sup>887</sup> The PMO forwarded his report to the Home Secretary, William Harcourt, who ordered two physicians to examine Marshall. They found Marshall to be insane and Harcourt had him removed from the jurisdiction of the court and committed to Broadmoor.<sup>888</sup>

The press solidified the link between jealousy, madness and murder that was implied by authors of fiction, written about by alienists and by Marshall himself. In the case of James Hughes, the *Standard* reported that Hughes’s ‘conduct had been generally quiet, except when he gave way to paroxysms of rage on account of the delusion he entertained with regard to his wife’s conduct.’<sup>889</sup> It was assumed by the press that William Lloyd ‘must have gone suddenly mad’ through jealousy before he murdered his wife, and Robert Thornley reportedly ‘became jealous of his wife’ and then murdered

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<sup>885</sup> ‘The Woolwich Tragedy’, *Morning Post*, 31 December.

<sup>886</sup> Ibid.

<sup>887</sup> D/H14/D2/2/1/1239/3, Schedule A.

<sup>888</sup> ‘Criminal Lunatics’, *Lancet*, 14 March 1884. Marshall’s removal to Broadmoor caused controversy. The case was used to criticise the Criminal Lunatics Act (1884) for giving the Home Secretary too much power. In addition, it was argued that a defendant’s right to a trial was being undermined. HL Deb 10 March 1885, vol. 295, col 597-604. The debate over Marshall’s committal to Broadmoor was part of a wider issue. Chadwick shows that as a result of the Prisons Acts there was ‘an increase in both insanity verdicts and the prior commitment of insane prisoners to Broadmoor.’ The entire judicial system was thus being undermined. *Bureaucratic Mercy*, p. 238. Nigel Walker comments on Marshall’s removal to Broadmoor, *Crime and Insanity in England: Historical Perspectives* (Edinburgh: Edinburgh University Press, 1968), p. 229.

<sup>889</sup> ‘Insanity and Attempted Murder’, *Standard*, 8 August 1881, p. 6.

her.<sup>890</sup> Jealousy was construed as an especially violent passion. Wife-murderers were represented in the press as wild, strong and irrational, and unlike the crimes of insane paternal child-murderers, as discussed in Chapter Four, the crimes of loving jealous husbands were couched in the language of violent insanity and brutality. Philip Dawe reportedly murdered his wife ‘with immense force’ ‘by beating her about the head with a Russian club’ which as a result was ‘wet with blood.’<sup>891</sup> And Matthew Cook ‘threw [his child] over the hedge into the gutter’ before he ‘barbarously murdered his wife by cutting her throat from ear to ear.’<sup>892</sup>

It is clear that jealousy had a strong cultural history and was entrenched in Victorian culture, but an examination of press reports and trial proceedings suggests that when it came to medico-legal discourse, it was marginalised. There were two types of defence employed in jealous murder cases: provocation and insanity. Contemporaries wrote of a link between provocation and homicide.<sup>893</sup> In 1896, the *Journal of Mental Science* commented:

To the ordinary average man the motive of jealousy is not enough to prompt the comparatively trivial act of murdering the woman of whom he is jealous. Yet in some men this motive does prompt to this action, and by universal consent the action is considered as sane and as sufficiently accounted for by the motive.<sup>894</sup>

To some, provocation was an acceptable defence in certain circumstances: i.e. men had to lose their self-control at the right time and for the right reason. In 1866, eminent English lawyer and judge, James Fitzjames Stephen, drew upon the early-modern conception that for an act of provocation to be acceptable it had to be committed in hot blood. It had to be

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<sup>890</sup> ‘Shocking Wife Murder at Wolverhampton’, *Western Mail*, 5 May 1871; ‘Wife Murder Near Manchester’, *Bristol Mercury and Daily Post*, 17 June 1879.

<sup>891</sup> ‘Alleged Murder by an Artist’, *Leicester Chronicle and the Leicestershire Mercury*, 30 July 1881.

<sup>892</sup> ‘Fearful Murder in York’, *Sheffield and Rotherham Independent*, 10 June 1871, p. 11. Also, ‘Midland Circuit, York’, *The Times*, 31 July 1871, p. 11.

<sup>893</sup> For a history of provocation, Jeremy Horder, *Provocation and Responsibility* (Oxford: Clarendon, 1992), pp. 5-22.

<sup>894</sup> ‘Rev. v. Wright. “The Mansfield Murders”’, *Journal of Mental Science*, 42 (1896), 451-456 (p. 454).

committed suddenly when there is ‘no time for the blood to cool between the offence and retaliation.’<sup>895</sup> As Chadwick writes, tales of provocation sometimes ‘touched the hearts of the male juries, judges and civil servants involved.’<sup>896</sup> In November 1884, William Moore (who ended up in Broadmoor as an insane convict) was convicted of the manslaughter of his wife after the jury accepted that he had attacked her in a passionate fury after she had provoked him with talk of her infidelity. The judge told the jury

that if a man killed another suddenly under provocation of such a character that, in the opinion of the jury, it was calculated to deprive him for the moment of his reason, and that it had the effect of doing so, then the crime might be held to be manslaughter.<sup>897</sup>

In such cases a custodial sentence represented sympathy because had Moore been convicted of murder then the death sentence would have been passed. Some laymen shared the view that provocation was a legitimate cause of murder. In November 1888, John Brailsford, the friend of Broadmoor patient and wife-murderer Timothy Grundy, wrote to Nicolson:

he was more to be pitied than blamed, it was his foolish wife that provoked and tantalized him beyond endurance, would not [keep] company with him and would flirt and joke with other men. He [was] a hearty man just in [the] prime of youth, just when the passions are strongest [...] to be treated so unreasonably and outrageously wrong it was maddening beyond human endurance it was not insanity it was being sane enough to feel his wrongs to keenly.<sup>898</sup>

Despite some contemporary views, scholarly research suggests that as the nineteenth century progressed, judges and juries hardened towards pleas of provocation in jealous murder trials, even if they were based on solid evidence.<sup>899</sup>

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<sup>895</sup> Horder, *Provocation*, p. 85; James Fitzjames Stephen, ‘The Definition of Murder’, *London Quarterly Review*, 26 (1866), 428-452 (p. 436).

<sup>896</sup> Chadwick, *Bureaucratic Mercy*, p. 313. Also, Conley, *Certain*, p. 112; Wiener, *Men of Blood*, pp. 215-222.

<sup>897</sup> ‘The Assize’, *The Times*, 15 November 1884, p. 11.

<sup>898</sup> D/H14/D2/2/1/186/21, letter to Nicolson.

<sup>899</sup> Wiener shows that when men killed their lovers because they rejected them more than half of those convicted were executed. *Men of Blood*, pp. 201. 205. Conley shows that ‘in English cases where the victim had been guilty of infidelity, the conviction rate was 95% and 42% of the men were convicted of murder.’ The others were convicted of manslaughter. She suggests this was because judges and juries were sympathetic towards their fellow adult males. *Certain*, pp. 112. 154. Maeve Doggett argues that sentences

Defence lawyers increasingly focused on defendants' state of mind to prevent a trip to the gallows. An examination of legal and medical literature, however, suggests that cases involving jealousy were not straightforward. Distinguishing between normal and morbid jealousy was seemingly problematic, and discussion arose about how strong jealousy had to be before a defendant could be declared insane.<sup>900</sup> The extent to which passion indicated insanity was also questioned. In 1896 it was declared in the *Journal of Mental Science* that passion should never be used as a defence:

It is a matter of common knowledge that when rein is given to passion, whether bloodthirstiness or lust [...] the appetite grows with its indulgence, and, in his gathering frenzy, the agent plunges into excesses which he had at first never contemplated [...] Mad he may be in one sense – in the sense in which the maxim *ira furor brevis est* is to be understood – but if such an access of frenzy is to be held an excuse for crime, we may as well abolish our criminal jurisprudence altogether.<sup>901</sup>

The following year, Maudsley wrote that passion could be used as evidence of insanity in court but pointed out:

When an insane person is on trial [...] it is commonly taken for granted by lawyers that if an ordinary motive for the act, such as anger, revenge, jealousy or any other passion can be discovered there is no ground for alleged insanity or [...] to allege exemption from responsibility by reason of insanity.<sup>902</sup>

This certainly appears to have been the case.

French juries openly accepted insane jealousy and provocation as legitimate causes of murder, and Stearns shows that there were several American trials at the end of the nineteenth century that involved men who had killed either their wives or their wives' lovers who had successfully argued 'that they suffered from a legitimate jealousy that

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for men and women who murdered their spouses because of jealousy were gendered: 'A man who killed his wife upon detecting her in the act of adultery would be guilty of manslaughter rather than murder. A wife who acted under similar provocation had no such defence.' *Marriage, Wife-Beating and the Law in Victorian England* (University of South Carolina Press, 1993), p. 50.

<sup>900</sup> 'Rev. v. Wright', p. 454. George Fielding Blandford wrote that through jealousy, 'many a home is rendered miserable, and the step towards insanity is not a long one, though such insanity is difficult to certify.' 'The Lumleian Lectures on The Diagnosis, Prognosis, and Prophylaxis of Insanity', *BMJ*, 6 April 1895, 741-745 (p. 741).

<sup>901</sup> 'Rev. v. Wright', pp. 453-454.

<sup>902</sup> Quoted in Mowat, *Morbid Jealousy*, p. 33.

simply overcame their will.’<sup>903</sup> In 1870, for instance, Daniel McFarland’s defence successfully argued that jealousy had induced temporary insanity and told the court:

jealousy is the rage of a man; therefore he will not spare in the day of vengeance [...] Those who dishonor husbands are here warned of their doom [...] Jealousy, which defies and bears down all restraint, whether it be what we technically call insanity or not, is akin to it. It enslaves the injured husband, and vents itself in one result, which seems to be inevitable and unavoidable.<sup>904</sup>

Such references to jealousy in English courtrooms rarely occurred. Although jealousy was referred to and implied, it was not always used as proof of insanity.

An examination of newspaper reports and trial proceedings suggests that during an Englishman’s trial, jealousy was ignored or referred to by the press or by lay witnesses who made no explicit connection between the passion and insanity. This analysis also highlights the use of some interesting defence tactics, particularly the desire to find evidence of insanity in places other than the crime. Following the murder of his wife, Anthony Owston attempted suicide and was taken to hospital.<sup>905</sup> It was reported at the inquest that whilst hospitalised, Owston’s ‘mental condition became so much worse – he being subject to fits of despondency’. His ‘strange conduct’ reportedly ‘terrified’ the other patients and he was transferred to the lunatic wards at the Bradford Workhouse.<sup>906</sup> Owston’s defence argued that he was not in a fit state to plead and that the evidence was sufficient to show his mind was unsound. The jury agreed.<sup>907</sup> Owston’s self-confessed jealousy was thus ignored, and evidence of his insanity found elsewhere. This was not unusual.

It was reported in the press that ‘a fiendish passion’ had taken hold of Matthew Cook before he murdered his wife and he was represented as a jealous husband who had

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<sup>903</sup> Harris, *Murder and Madness*, pp. 285-292; Stearns, ‘Jealousy in Western History’, p. 7.

<sup>904</sup> Stearns, *Jealousy*, p. 28.

<sup>905</sup> For jealousy and suicide, Winslow, *Mad Humanity*, pp. 156-157.

<sup>906</sup> ‘The Bradford Murder’, *Leeds Mercury*, 19 November 1878.

<sup>907</sup> *Ibid.*

engaged in acts of jealous voyeurism.<sup>908</sup> At Cook's trial it was his intemperance and *delirium tremens*, as well as evidence that a number of his relatives were mad, that was used by the defence to convince the jury he was insane.<sup>909</sup> Although some alienists associated alcoholism with jealousy, and Cook's 'jealous' disposition was explicitly referred to by the press, no references to the passion were made during his trial.<sup>910</sup> In 1866, Daniel Beloe murdered the woman he was living with.<sup>911</sup> A witness to the crime told the inquest that 'he was sure jealousy was the cause of the act' and the press reported that Beloe said it had 'all been done through love and jealousy.'<sup>912</sup> At the trial a witness told the courtroom that when discovered at the scene of the crime, Beloe 'put his hand to his heart' and 'said that he did it through jealousy.'<sup>913</sup> Following the murder, Beloe attempted to commit suicide and was taken to Guy's Hospital where he was examined by George Henry Savage who, when questioned in court, made no reference to the jealousy he would write about thirty years later. Savage told the court, 'a man who attempts [suicide] is not, generally speaking, in a sound state of mind.' And when he was asked 'If it had been proved that on one or two previous occasions he had attempted to destroy himself, would it strengthen your opinion [...] he was in an unsound state of mind?', Savage responded:

It would be more likely—if he received a few years ago a violent injury to his brain [...] which rendered him unconscious for some time, that might operate on his mental powers—intemperate habits would have a great predisposing influence, particularly on a brain weakened by physical injuries.

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<sup>908</sup> 'Horrible Murder of a Wife at York', *York Herald*, 10 June 1871, p. 9; 'Fearful Murder in York', *Sheffield and Rotherham Independent*, 10 June 1871, p. 11; 'Dreadful Wife Murder and Attempted Suicide of the Murderer', *Glasgow Herald*, 7 June 1871.

<sup>909</sup> 'The Shocking Wife Murder at York', *Illustrated Police News*, 5 August 1871.

<sup>910</sup> Robert Thornley's was a similar case, 'Northern Circuit', *Reynolds Newspaper*, 20 July 1879.

<sup>911</sup> For domestic violence and cohabitation, Ginger Frost, 'He Could Not Hold His Passions: Domestic Violence and Cohabitation in England (1850-1905)', *Crime, Histoire et Sociétés*, 12:1 (2008), 25-44.

<sup>912</sup> 'The Murder in Southwark', *Liverpool Mercury*, 16 April 1866.

<sup>913</sup> *OBPO*, 11 June 1886, trial of Daniel Beloe (23) (t18660611-575).

The defence then called witnesses to prove that Beloe had suffered a head injury whilst working on a ship which caused him to become excited, intemperate, unindustrious and suicidal.<sup>914</sup> Physician David Roberts then told the court that Beloe's brain injury 'might have an effect on his mental powers - change of manner, irritability, and attempt to commit suicide would indicate disease of the membranes of the brain'. The jury took five minutes to find Beloe not guilty on the grounds of insanity.<sup>915</sup>

One way alienists, judges and juries determined the insanity of a jealous individual was by establishing whether they were delusional on the subject of their wife's infidelity. To satisfy the M'Naughton Rules a defendant must be shown to be suffering from delusions. John Charles Bucknill commented in 1855:

If the jealousy had any foundation in real occurrences, it might be the natural feeling of an outraged husband, in which case its fatal result would be wilful murder, punishable by death. On the other hand, this feeling of jealousy might be a symptom of insanity, and the circumstances upon which it was founded might merely be the creation of a diseased brain, in which the fatal act would be the result of mental disease, and as such ought not to be punished.<sup>916</sup>

In Anthony Owston's case it was established that his wife had been having an affair and had planned to leave him. Thus, although Owston's insanity had been demonstrated by descriptions of his strange behaviour he was not legally mad. An examination of trials lends support to the argument that the M'Naughton Rules were followed haphazardly and each trial was judged differently.<sup>917</sup> In theory, the Rules had set a high standard for insanity, the inability to understand the nature of the act committed, yet in some cases in which jealous wife murderers were committed insane to Broadmoor they were seemingly aware of what they had done; Owston, for instance, wanted to be hanged and was 'glad'

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<sup>914</sup> Ibid.

<sup>915</sup> Ibid.

<sup>916</sup> John Charles Bucknill, 'Trial of Robert Handcock for the Murder of his Wife, Phillippa Handcock, at the Devon Winter Assizes, before Mr. Baron Parke, Dec. 10<sup>th</sup>, 1855. Plea of Insanity', *Journal of Mental Science*, 2 (1856), 245-253 (p. 245).

<sup>917</sup> Joel Peter Eigen, 'Diagnosing Homicidal Mania: Forensic Psychiatry and the Purposeless Murder', *Medical History*, 54:4 (October 2010), 433-456.

Jane was dead. The uneven application of the Rules is noticeable in the following two cases. The well-known case of George Victor Townley, who murdered Elizabeth Goodwin after she called off their engagement, shows that a defendant did not have to be legally or medically insane to be declared mad. According to John Hitchman, the Superintendent of Derby County Lunatic Asylum, Townley was motivated to murder by his inability to

recognise the distinction (where his self-love was interested) as *property* between an inanimate thing – such as a picture – and a living, intelligent woman, in the character of a wife; nor would he acknowledge a distinction between an act of adultery in a wife, and the acceptance, by a lady simply betrothed, of an offer of marriage from a gentleman other than the betrothed.<sup>918</sup>

However, Hitchman observed, ‘There had been no recognised change in his character (moral insanity) or feelings, beyond what an intense disappointment of an amative nature might explain as a transient passion, such as rage, jealousy or grief.’<sup>919</sup> Moreover, it was established at the trial that Townley knew that he was breaking the law and was aware of the distinction between right and wrong. Townley was sentenced to death but his sentence was commuted on the grounds of insanity.<sup>920</sup> In 1862, James Lawrence reportedly ‘shot his sweetheart out of absurd jealousy’. He was found guilty and sentenced to death. The jury recommended mercy because they believed ‘that he has a belief that there was something improper between the deceased and someone in the house, and [...] he was under delusions about the young woman.’ The verdict was commuted, but despite satisfying the legal test of insanity (delusions) Lawrence was still convicted of murder

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<sup>918</sup> John Hitchman, ‘An Interview with George Victor Townley, and Reflections thereon’, *Journal of Mental Science*, 10 (1864), 21-34 (p. 26).

<sup>919</sup> *Ibid.*, p. 27.

<sup>920</sup> Nigel Walker suggests the sentence was commuted because Townley’s ‘family were well-to-do and his lawyers resourceful’. *Crime and Insanity*, pp. 207-208.



and sentenced to penal servitude for life. In 1882 he was committed to Broadmoor from prison.<sup>921</sup>

The question why defendants' jealousy was seemingly bypassed in the courtroom arises. Conley shows that between 1867 and 1892 only 5 Englishmen accused of killing women who rejected them were found insane; 33 men were executed.<sup>922</sup> That jealousy had a history of failure in the courtroom may explain why defence lawyers tried to find evidence of insanity in other places and attempted to show that the seeds of madness had been sown long before the defendant committed the crime. In addition, lawyers may not have invoked jealousy because the notion that crime was the result of passion was too open to dispute. And thus, they either failed to acknowledge jealousy existed or linked it to a recognisable form of mental disease that could be seen as stopping the defendant from forming criminal intent. The medicalisation of intemperance in the 1870s helped in this regard and *delirium tremens* was attributed to the insanity of some jealous murderers committed to Broadmoor.<sup>923</sup> Another reason why jealousy may not have been invoked rests on the complexity of the passion. As A. Ben-Ze'ev writes, 'romantic jealousy is complex and typically consists of a cluster of emotions and not merely a single one.'<sup>924</sup> That jealousy has no distinctive expression was indicated in the nineteenth century by the sometimes contradictory definitions of jealousy found in medical literature. It is also evident in the cases examined for this chapter. An examination of press reports suggests that at their respective trials and inquests, instead of displaying the passionate excitement and savagery reportedly present when they committed their crimes, Anthony Owston

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<sup>921</sup> D/H14/D2/2/1/1118, James Lawrence's case file.

<sup>922</sup> Conley, *Certain*, p. 113.

<sup>923</sup> *Delirium tremens* was successfully used for the first time as a defence in Matthew Cook's case.

<sup>924</sup> Ben-Ze'ev, 'Jealousy and Romantic Love', in *Handbook of Jealousy*, ed. by Hart and Legerstee, p. 42.

expressed fear and sadness, Frederick Marshall was anxious, and the excitement expressed by Matthew Cook had ‘sunk into a moody and callous silence.’<sup>925</sup>

#### **IV. Broadmoor**

Jealousy was openly discussed and condemned in the British press and in novels, and during the latter decades of the nineteenth century its visibility in medical literature increased. Yet references to the emotion can rarely be found in the Broadmoor records. It was common for the cause of a man’s insanity to be recorded as ‘wife’s conduct’ or ‘domestic troubles’ which in some cases meant infidelity or the suspicion of infidelity.<sup>926</sup> But it was unusual for ‘jealousy’ to be listed as the cause of insanity. In 1885 Joseph Cantrill and John Willoughby were both committed to the asylum following their wives’ murders. In each of their cases ‘jealousy’ was recorded as the cause of insanity on Schedule A, the medical certificate that accompanied patients to Broadmoor from prison; this is an interesting discovery given that jealousy was not a medico-legal category.<sup>927</sup> Of the 45 men committed to Broadmoor for the attempted murder or murder of their wives and sweethearts these were the only two occurrences in which ‘jealousy’ was recorded as a cause of insanity. In the cases of aforementioned defendants, whose alleged jealousy had been explicitly addressed, no association between their alleged jealousy and insanity was made at Broadmoor. In 1890, for instance, the cause of Anthony Owston’s insanity was recorded as ‘domestic troubles’.<sup>928</sup> This was despite the inclusion in his case file of a

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<sup>925</sup> ‘Dreadful Wife Murder and Attempted Suicide of the Murderer’, *Glasgow Herald*, 7 June 1871.

<sup>926</sup> Domestic troubles were linked to ill-treatment, reverses in fortune and poverty. I expected to come across ‘disappointed affections’, ‘wounded feelings’ or ‘love’ as causes of insanity in jealous murder cases but they were not listed.

<sup>927</sup> D/H14/D2/2/1/1256, Joseph Cantrill’s case file; D/H14/D2/2/1/1258/3, John Willoughby’s case file.

<sup>928</sup> D/H14/D2/2/1/963/7, medical report.

newspaper article from 1889 which reported that ‘in a frenzy of exasperation’ Owston had murdered his wife, and in his ‘jealousy’ had attempted to murder his rival.<sup>929</sup>

An examination of case files suggests that Broadmoor’s Superintendents and medical officers recast jealousy an element of degeneration and hereditary taint that had dominated medical thought since the mid-nineteenth century. They perhaps did so to provide a scientific explanation for the cause of insanity and murder, thereby distinguishing medical theories from popular ideas regarding jealousy that were found in fiction, newspapers and periodicals.<sup>930</sup> John Willoughby’s insanity was reportedly caused by ‘hereditary predisposition’ rather than the ‘jealousy’ recorded on Schedule A.<sup>931</sup> As was the case in most English asylums, no direct references were made to the ‘degenerate’ or to ‘degeneration’ by Broadmoor’s Superintendents or medical officers.<sup>932</sup> But, Broadmoor’s medical men did focus on the intemperate, idle and insane nature of some of their allegedly jealous patients, all assumed characteristics of degeneration.

Frederick Marshall was committed to Broadmoor in 1885, and his case is the most striking example in which the jealousy that was so overtly discussed in the press and at the inquest was seemingly overlooked. Marshall’s case file suggests that Nicolson was aware of the circumstances surrounding the case; indeed, he had filed twelve pages of newspaper cuttings relating to it.<sup>933</sup> To Nicolson, Marshall’s behaviour was explained by imbecility. He believed Marshall was ‘weak-minded from birth’ and had a hereditary

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<sup>929</sup> D/H14/D2/2/1/963/11, ‘The Case of Anthony Owston’, *Bradford Observer*. The press reported on Owston’s case years after his committal because an appeal was made for his discharge.

<sup>930</sup> Some alienists linked hereditary taint with murder. Henry Maudsley wrote, ‘In insanity which there has been a hereditary predisposition to the disease, homicidal mania is more likely to occur than where there has been no such taint.’ ‘Homicidal Insanity’, *Journal of Mental Science*, 9 (1863), 327-343 (p. 336).

<sup>931</sup> D/H14/D2/2/1/1258/12, medical report. For a similar case, D/H14/D2/2/1/986, Thomas Dean’s case file.

<sup>932</sup> Daniel Pick, *Faces of Degeneration: A European Disorder, 1848-1918* (Cambridge: Cambridge University Press), p. 179.

<sup>933</sup> D/H14/D2/2/1/1239/39-51, newspaper articles.

predisposition to insanity.<sup>934</sup> He was also irritable, easily offended, petty and childish.<sup>935</sup> Nicolson's evaluation of Marshall was typical of late –nineteenth century psychiatry which, influenced by the evolutionary models of Herbert Spencer, increasingly focused on neurological rather than psychological models of insanity.<sup>936</sup> Victorian neurologist, John Hughlings Jackson, adopted a three-tier hierarchy of the nervous system: the lowest level; the middle level; and the highest level.<sup>937</sup> According this model, insanity led to the loss of the highest nervous centres which in turn resulted in a loss of control and inhibition. Echoing the Jacksonian model, Nicolson depicted Marshall as a man whose nervous system had not fully developed; he was missing the highest level and was thus incapable of exercising control: with 'approaching manhood the balance of his character and of his appetites and passions has [...] been greatly disturbed and not got beyond the control of his volition. His capacity for reflection and his power of will for self guidance have not been kept in pace with his added years.' Nicolson appealed to both moral (untamed passions) and physical causes of insanity:

He suffers from a moral inability and incapacity which, under ordinary circumstances, need not cause him to act of intemperately or insanely; but which, under any feat of strain or excitement and appeared by the severe headache to which is so liable, end in [...] active and dangerous insanity and irresponsibility.<sup>938</sup>

Nicolson's report contains elements of the Presidential Address he would make ten years later, as well as observations he had made ten years previously in 'The Morbid Psychology of Criminals'. In the latter he observed that the will of weak-minded (imbecile) men 'is without energy; it is incapable of exertion; it cannot act; it is

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<sup>934</sup> D/H14/D2/2/1/1239/38, medical report.

<sup>935</sup> D/H14/D2/2/1/1239/6-8, memorandum.

<sup>936</sup> Roger Smith, *Inhibition: History and Meaning in the Sciences of Mind and Brain* (London: Free Association Books, 1992), p. 163.

<sup>937</sup> James Taylor, 'Jackson, John Hughlings (1835–1911)', rev. Walton of Detchant, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/34137>, accessed 13 May 2013].

<sup>938</sup> D/H14/D2/2/1/1239/38, medical report.

paralysed.’<sup>939</sup> Imbecility was linked by late-nineteenth century alienists, including Maudsley and Broadmoor’s Superintendents and medical officers, to ‘hereditary mental degeneration’, the incapacity to learn and to ‘mischief’.<sup>940</sup> It was not, as it was in some periodicals, linked with jealousy.<sup>941</sup>

To Broadmoor’s Superintendents and physicians, jealousy appears to have been a symptom rather than a cause of insanity, as it was assumed to be in some medical treatises. Two reasons might be suggested for this. First, the notion that insanity had a physical cause, as Andrew Scull has noted, was ‘a vital prop’ for alienists’ contentions that insanity was fundamentally a medical problem.<sup>942</sup> This lends support to Akihito Suzuki’s argument that there ‘existed a contest for interpretive authority over the act of decoding and defining disease, or what Katherine Hunter has called “a silent tug-of-war over the possession of the story of illness.”’<sup>943</sup> Not only is this evident in medical versus popular representations of disease, but also in medical versus a patient’s own explanation of his condition. Philip Dawe was committed to Broadmoor in 1881. In his Annual Report for that year, Orange wrote, ‘[Dawe] says he was not married to the woman; that they had lived unhappily for some time; that she was not well-conducted, and had frequently given him cause to be jealous.’ Orange did not attribute Dawe’s insanity to his jealousy, however, but instead recorded, ‘He seems to have been drinking hard for some time, and to have been sleepless and low spirited [...] the evidence given at his trial shows

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<sup>939</sup> David Nicolson, ‘The Morbid Psychology of Criminals’, *Journal of Mental Science*, 21 (April 1875), 18-31 (pp. 18-19).

<sup>940</sup> Maudsley, *Physiology and Pathology*, p. 340 and *The Pathology of Mind* (London: Macmillan and Co., 1879), p. 340.

<sup>941</sup> ‘Jealousy’, *Saturday Review* (1863), p. 298.

<sup>942</sup> In 1867 alienist David Skae wrote, ‘Unless insanity is a disease, a disease of the brain affecting the mind, I do not see what we have to do with it more than other people: but if it is a disease, I maintain that we are bound to know more about it than other people.’ Quoted in Andrew Scull, *The Most Solitary of Afflictions: Madness and Society in Britain, 1700-1900* (Yale University Press, 1993), p. 236.

<sup>943</sup> Akihito Suzuki, ‘Framing Psychiatric Subjectivity: Doctor, Patient and Record-Keeping and Bethlem in the Nineteenth Century’ in, *Insanity, Institutions and Society, 1800-1914: A Social History of Madness in Comparative Perspective*, ed. by Joseph Melling and Bill Forsythe (London and New York: Routledge, 1999), pp.115-136 (p. 116).

that he [...] had been in an asylum before; had several times attempted suicide, and had relations in asylums.<sup>944</sup> The second reason why Broadmoor's Superintendents and physicians may have cast jealousy as a symptom rather than a cause of insanity relies on the assumption that they adhered to the broadly ascribed (medical) notion that jealousy was primarily a female condition, and thus did not acknowledge its existence in men.<sup>945</sup> Further research is of course required to examine this theory. It would be interesting, although not possible here given the scope of this thesis, to follow the cases of allegedly jealous females into Broadmoor and to see whether the passion was discussed in their cases. In doing so, it may be possible to ascertain the separation between female causes of insanity (strong passions and emotions) and male causes of the disease (primarily physical) within an asylum setting.

An examination of the release patterns of men who killed their wives or sweethearts suggests that Thomas Clouston's belief that individuals could not recover from jealousy was correct.<sup>946</sup> Only one of the forty-five Broadmoor patients committed for wife or sweetheart murder was successfully discharged; this was Daniel Beloe who emigrated to Canada in 1875.<sup>947</sup> It initially appeared as though Matthew Cook would enjoy freedom. In 1878 he was conditionally discharged but two years later he became intemperate and returned to Broadmoor where he remained in a 'depressed state' until his

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<sup>944</sup> D/H14/A2/1/1/7, Annual Report (1881), p. 55. Richard Brayn echoed Orange's opinion of Dawe, D/H14/D2/2/1/1069/17, medical report.

<sup>945</sup> Janet Oppenheim has shown that alienists proposed a different aetiology for male and female madness, *Shattered Nerves: Doctors, Patients, and Depression in Victorian England* (Oxford: Oxford University Press, 1991).

<sup>946</sup> Anthony Owston, Philip Dawe, Joseph Cantrill and Frederick Marshall all died insane at Broadmoor. D/H14/D2/2/1/963/47, Owston's death certificate; D/H14/D2/2/1/1069/22, Dawe's death certificate; D/H14/D2/2/1/1256/17, Cantrill's death certificate; D/H14/D2/2/1/1239/35, Marshall's death certificate. John Willoughby was transferred insane to another asylum, D/H14/D2/2/1/1258/10, notice of transfer to Berkshire asylum. His fate thereafter is unknown.

<sup>947</sup> D/H14/D2/2/1/366/8-24, letters regarding Beloe's emigration.

death.<sup>948</sup> An examination of patients' alleged behaviour in Broadmoor suggests why they were not released. On admission to the asylum their demeanours were reportedly relatively similar: they were quiet and unemotional, but after some time they became disruptive and insane. Anthony Owston developed religious mania and believed he was having visions from God: he told one attendant, 'If God was to tell [him] to cut his throat he must do it, says he hopes he will not tell him to do that for he wishes to live, as he is a changed man and feels younger and stronger than ever he did.'<sup>949</sup> This was not the case. Broadmoor's medical officers reported that Owston suffered from chronic delusional insanity.<sup>950</sup> Frederick Marshall continually complained about his treatment, he was violent towards other patients and, in 1888, he escaped from the asylum. He was at large for one day.<sup>951</sup> Marshall also accused other patients and was himself accused of sodomy.<sup>952</sup> Other men still entertained the notion that their wives were unfaithful and were considered delusional.<sup>953</sup> Generally, though, delusions or suspicions regarding wives' infidelity were not reported to have continued. Some other patients, who had not committed wife or sweetheart murder, reportedly developed feelings of jealousy and suspicion whilst in Broadmoor, as also happened in ordinary asylums.<sup>954</sup>

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<sup>948</sup> D/H14/D2/2/1/1013/1, letter from Eleanor Beavell; D/H14/D2/2/1/1013/2, letter to the HO; D/H14/D2/2/1/1013/4, revocation of warrant of conditional discharge; D/H14/D2/2/1/1013/6, extract from ward journal.

<sup>949</sup> D/H14/D2/2/1/963/29, memorandum.

<sup>950</sup> D/H14/D2/2/1/963/31, medical report; D/H14/D2/2/1/963/34, medical report.

<sup>951</sup> D/H14/D2/2/1/1239/14, letter from Marshall to his father; D/H14/D2/2/1/1239/18, letter to the HO. For Marshall's escape, D/H14/D2/2/1239/16-17.

<sup>952</sup> D/H14/D2/2/1/1239/27, memorandum; D/H14/D2/2/1/1239/28, letter; D/H14/D2/2/1/1239/29, memorandum.

<sup>953</sup> D/H14/D2/2/1/1067/13, medical report.

<sup>954</sup> Jonathan Andrews and Anne Digby, 'Introduction: Gender and Class in the Historiography of British and Irish Psychiatry', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Andrews and Digby (New York: Rodopi, 2004), pp. 7-44 (p. 25). See the case of Henry Dodwell examined in Chapter Six.

## V. Conclusion

Through an examination of nineteenth-century fiction, medical treatises, and real-life murder cases, nineteenth-century assumptions about class and gender have been brought to the fore. For instance, it was assumed and implied that the working-class man lacked self-control and was unable to manage his passions, unlike his middle-class, albeit fictional, counterpart. Like the child-murderers discussed in Chapter Four, wife and sweetheart murderers were depicted in the press, trial proceedings and in literature as deviants: they negated all a husband or lover should be. A clear image of the jealous man was presented to the reading public in fiction and in the press. He was either effeminized (emotional and weak) or he was a brute: monstrous, irrational, violent, passionate and lacking in self-control. In trial proceedings and press reports, the jealous man was depicted as emotionally and physically fragile. In *Broadmoor*, whilst jealousy was rarely mentioned, the insane and violent man was emasculated: he was idle, intemperate, emotional and lacking self-control, generally unfit to be a valuable member of society.

Two distinct causes of male jealousy in the nineteenth century have been highlighted in this chapter: jealousy caused by emotions (hurt feelings) and jealousy caused by a perceived violation of property. Whilst a clear distinction was made between the two, they were equally damning and dangerous. Historians have examined the exchange of ideas that occurred throughout Europe in the nineteenth century. Jane Wood, for instance, shows that cultural assumptions about gender and illness had sway ‘far beyond national boundaries’.<sup>955</sup> An examination of literature, press reports, medical treatises and asylum records indicates that there was a similar transfer of ideas regarding the causes and nature of jealousy. Both British and French authors of fiction depicted the brutal and insane nature of the jealous man, even if their stories did tend to have different

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<sup>955</sup> Jane Wood, *Passion and Pathology in Victorian Fiction* (Oxford: Oxford University Press, 2001), p.19.



endings. In addition, the work of American alienists T. H. Kellogg and A. O. Kellogg were published in England and presumably read by British alienists. Ideas about jealousy crossed not only spatial boundaries but temporal boundaries too, and this research supports what Stedman found in her study on the emotions: that both authors and alienists frequently quoted or referred to Shakespeare as a source of authority.<sup>956</sup>

Where there is no similarity, in space or time, is in the courtroom. This is because different national social and legal contexts make for different emotional regimes. The association of jealousy and crimes of passion with ‘uncivilised’ Europeans demonstrates this, as do changing ideas regarding the relationship between men and women in Britain, as demonstrated through an examination of popular literature and press reports. In Britain, unlike France or America, there was not a ‘crime of passion’ defence which meant that an appeal to jealousy as a defence was no use in criminal proceedings. The medico-legal emphasis on delusions and on physical and hereditary explanations of disease in insanity defences meant that it was these, rather than feelings or emotions, that were given centre stage in an insanity defence.

Popular ideas and some medical ideas about jealousy did not permeate Broadmoor’s walls. Instead, the passion appears to have been cast aside or completely bypassed by the asylum’s Superintendents and medical officers, even when it was explicitly referred to by a PMO, when faced with pages of press reports detailing a patient’s ‘jealous’ disposition, or when faced with a patient’s own testimony of his crime.<sup>957</sup> Two reasons have been suggested for this here. First, asylum doctors may have

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<sup>956</sup> Stedman, *Stemming*, p. 185.

<sup>957</sup> It is not only a question of why alienists ignored passions and emotions, but why patients (or their friends and family members) were seemingly reluctant to attribute insanity to a pre-disposition to mental disease. It may be, as Julie-Marie Strange suggests in her study of grief, that because admission to an asylum ‘carried a stigma’ it was ‘in the interests of a family to locate a social rather than hereditary cause for insanity.’ This may have encouraged others look upon the case with sympathy rather than scorn. Julie-

ignored male jealousy because they adhered to the belief that the passion primarily affected females. Second, by recasting jealousy as a physical disease, alienists and asylum superintendents could assume control over it. Indeed, jealousy was sometimes the result of misbehaviour on the part of a patient's wife and another man. In popular literature, this was remedied through the acquisition of knowledge (the realisation that a suspicion was wrong), but in the real-life cases examined for this chapter, jealousy seemingly required an underlying physical cause to justify treating the patient in Broadmoor.

The following chapter examines the case of father and husband, Henry John Dodwell.

## **Chapter Six:**

### **The Case of Henry John Dodwell**

On 22 February 1878, Reverend Henry John Dodwell, a fifty-two year old Protestant clergyman, fired a pistol at Sir George Jessel, Master of the Rolls.<sup>958</sup> Dodwell was tried at the Old Bailey on 11 March where he was found not guilty but insane. This chapter is a detailed examination of this case and is divided into three sections. In the first section, newspaper articles and the trial transcript are examined in order to detail the circumstances surrounding Dodwell's crime and trial. In the second section, Dodwell's case file and other relevant documents from the Broadmoor archive are examined to look at medical responses to the trial, verdict and Dodwell's incarceration. And in the third section, letters sent and received by Dodwell and the Superintendent are examined to do two things: to understand Dodwell's incarceration from his own point of view and that of his friends and family, and to probe Dodwell's relationship with his family.

#### **I. Crime and Trial**

Dodwell arrived at the Rolls Court on Chancery Lane at 9.30 a.m. and, according to a witness at his trial, paced up and down appearing 'rather excited' until Jessel arrived fifteen minutes later.<sup>959</sup> As Jessel stepped out of his cab and walked towards the court, Dodwell fired a pistol at him. Court-keeper and usher, William Hayes, called for the police and Constable Whiting arrived. Dodwell reportedly told him 'I have done it [...] I have shot the Master of the Rolls, which is what I wanted to do.'<sup>960</sup> Whiting found on Dodwell's person a letter addressed to Mr Taylor, a tobacconist, which read:

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<sup>958</sup> Dodwell's religious persuasion is recorded on the Admissions Register, 1868-1900, D/H14/D1/1/1/2.

<sup>959</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 29 October 2012), March 1878, trial of Henry John Dodwell (52) (t18780311-365).

<sup>960</sup> 'Attempt to Shoot the Master of the Rolls', *The Times*, 23 February 1878, p. 10.

I beg leave to ask you the very great favour of going over to see my wife [...] and break to her the fact that I am in custody for assaulting one of Her Majesty's Judges. After five and a third years of incessant struggling I have come to the most unwelcome conclusion that I can gain a hearing, not a grand thing for any man in any country, only by breaking the law.<sup>961</sup>

Dodwell was charged with feloniously firing a pistol with intent to do murder or grievous bodily harm before Mr Flowers at the Bow Street Police Court, where his 'incessant' struggle became clear. It emerged that Jessel had previously presided over two suits brought forth by Dodwell, the first in 1876. At this meeting the governing body at a school in Devonshire, where Dodwell had been schoolmaster until he was dismissed for an unknown reason, brought an action against Dodwell when he refused to leave the school house or master's residence. Dodwell was represented by a solicitor but the two fought, and Dodwell did not take his name off the record; as a result no defence was made. Dodwell applied to Jessel to set aside the judgement, which he did.<sup>962</sup> They met again the following year when it emerged that nine years earlier Dodwell had been appointed chaplain to an Industrial School in Brighton but was dismissed from his duties. Dodwell presented a Petition of Right to the Queen to reinstate him which was heard before Vice-Chancellor Malins who rejected the petition.<sup>963</sup> Jessel was the presiding judge the day Dodwell appealed against Malins's decision and he upheld the judgement. Two weeks later Dodwell went before the Court of Appeal where he told Jessel that he wished to negate the judgement of Malins on the ground that he was a corrupt judge. Jessel threatened to have Dodwell removed from court and Dodwell left. The next time they met was on the morning of February 22.

The frustration Dodwell felt after years spent trying to be reinstated at the Industrial School became clear during his questioning at Bow Street. Dodwell represented

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<sup>961</sup> *OBPO*.

<sup>962</sup> *Ibid*.

<sup>963</sup> 'Supreme Court of Judicature', *The Times*, 10 May 1877, p. 10.

himself and requested to question Jessel in front of witnesses but he was refused. He then asked permission to read from his notebook but was again refused permission. *The Times* reported that Dodwell was ‘very moved and in sobbing tones, said “Oh! pray hear me at last. This is a free country and you are obliged to hear me now I am in a dock.”’<sup>964</sup> Flowers appeared unsympathetic and he told Dodwell that he would have to wait until the following day to make his case. The next day Dodwell directed the attention of the court to a statement made by Jessel who, following the shooting, reportedly returned to his duty as judge, apologised to his peers for his lateness and declared, ‘I am glad to tell you that I have no doubt whatsoever that the person who fired the pistol at me is insane.’<sup>965</sup> The *Hampshire Advertiser* responded to Jessel’s remark: ‘Surely for a man of Sir George’s experience it was a most improper thing to prejudice a prisoner in that way.’<sup>966</sup> Flowers appeared to view the remark more positively and considered it ‘a merciful view of [Dodwell’s] conduct and probably the only ground upon which he could hope to escape punishment.’<sup>967</sup> Roger Smith writes that criminal trials displayed public choices about the ‘value society attributes to individual actions.’<sup>968</sup> Assault was a very serious crime in Victorian Britain and was severely punished. But as Martin Wiener shows, insanity was one way to justify and explain violent behaviour that contravened the purported manly ideal.<sup>969</sup> Jessel’s proclamation of insanity thus provided the defence Dodwell needed. An examination of press reports suggests that Flowers was convinced Dodwell was insane. When Dodwell began to read to the court letters that he had written to Jessel, Flowers informed him that his case must go to trial, but Dodwell continued:

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<sup>964</sup> ‘Attempt to Shoot the Master of the Rolls’, *The Times*, 23 February 1878.

<sup>965</sup> ‘Attempt to Shoot the Master of the Rolls’, *Bristol Mercury and Daily Post*, 23 February 1878.

<sup>966</sup> ‘The Attempt to Shoot the Master of the Rolls’, *Hampshire Advertiser*, 27 February 1878, p. 4.

<sup>967</sup> ‘The Attempt to Shoot the Master of the Rolls’, *The Times*, 25 February 1878, p. 12.

<sup>968</sup> Roger Smith, *Trial by Medicine: Insanity and Responsibility in Victorian Trials* (Edinburgh: Edinburgh University Press, 1981), p. 2.

<sup>969</sup> Martin Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2006).

Prisoner: I will read these letters. (The prisoner read a letter written in very strong language referring to the conduct of the judge before whence his case had come.)

Mr Flowers: Did you expect him to take notice of such a letter as that? I won't hear any more of that sort of stuff. It is perfectly useless. It might perhaps be useful to you in some sense, to show that you were –

Prisoner: Do you, not, sir, remember the definition of madness?

Dodwell began to quote an article from the *Lancet* in which madness was defined as 'tearless' when Flowers stopped him on the grounds that he could not allow Dodwell to speak upon such a matter.<sup>970</sup> One can presume that Dodwell was referring to his emotional display the previous day in order to call into question Jessel's opinion that he was insane. Dodwell continued to discuss the events that led to his dismissal from the Industrial School and began to read some letters he had sent to the Guardians of the Poor at Brighton. Flowers refused to be drawn into the matter and bound all witnesses to give evidence at a trial.

This initial investigation attracted much press attention. During questioning it emerged that Dodwell had not loaded the pistol with a bullet but with a wad of paper and thus the crime was not an attempted murder. The press still sensationalised the act, however. The *Bristol Mercury and Daily Post* reported that the 'would-be murderer' was a 'person of excited appearance' who 'rushed forward and discharged a pistol' at Jessel's head, thus depicting Dodwell as an irrational and dangerous lunatic. This depiction was juxtaposed with one of Jessel who following the incident 'displayed the utmost calmness'; and thus, the utmost manliness.<sup>971</sup> The scene described by the press differed from the evidence given during the trial. At the Old Bailey, Hayes told the courtroom that Dodwell walked calmly over to Jessel after firing the pistol and introduced himself. Jessel said he witnessed Dodwell 'take his right hand from under the left side of his coat' before

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<sup>970</sup> 'The Attempt to Shoot the Master of the Rolls', *Hampshire Advertiser*; 'The Attempt to Shoot the Master of the Rolls', *The Times*, 25 February. I have searched the *Lancet* for the article quoted by Dodwell but have been unable to locate it.

<sup>971</sup> 'Attempt to Shoot the Master of the Rolls', *Bristol Mercury*.

he ‘presented a pistol’ at him; both men thus portraying Dodwell as calm, collected and stationary when committing the crime.<sup>972</sup> The press thus played a role in creating and reinforcing the stereotype of the dangerous and erratic criminal lunatic.

Dodwell defended himself during the trial where much of what had transpired at Bow Street was reiterated: that his motive for the assault was to be tried and so raise public awareness of his unjust dismissal, and that there was no murderous intent. No medical evidence was requested during the trial but Dodwell’s mental condition was scrutinised more here than it had been previously. Sydney Roberts Smith, Governor of Newgate, told the court that he had seen Dodwell write many letters, some in Latin, since he was admitted. One of the letters was translated and read to the court to prove that Dodwell was intellectually sound.<sup>973</sup> Despite Smith’s evidence the question of Dodwell’s sanity was directed to laymen. Jessel recalled his previous meetings with Dodwell and remembered his behaviour as:

decidedly irrational—his address was incoherent and irrelevant and seemed to me to show distinct signs of delusion—he seemed to think that everybody was [...] in a conspiracy against him, and those who have experience in those matters know that is a very common sign of the mind giving way.

The trial transcript and press reports suggest that the general feeling in the courtroom was that Dodwell was insane, but two witnesses did attest to his sanity. William Taylor, the tobacconist to whom Dodwell had written said, ‘I was surprised to hear that he was called insane – I have never seen any insanity in his case, certainly sometimes excited about his case that he had in the Courts, but not insanity.’<sup>974</sup> Taylor was cross-examined by the Solicitor-General who asked him to share his opinion on Dodwell’s mental state, he replied: ‘I can’t say that I investigated any of the cases he said he had been wronged in [...] my judgement about his sanity or insanity would in some way depend on whether he

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<sup>972</sup> *OBPO*.

<sup>973</sup> *Ibid.*

<sup>974</sup> *Ibid.*

related facts or whether they were delusions.<sup>975</sup> Indeed, as well as being the legal test for madness, delusions were a good public indicator of the disease.<sup>976</sup> Taylor also told the court that Dodwell's efforts to regain employment had driven Dodwell and his family out of their home and forced them to sell their possessions. Another witness, William Horton, reiterated this:

I walked up the Strand with him on the Wednesday before the unfortunate circumstance came about [...] he told me that he must do something desperate, for he would be heard – I heard of his arrest on the Friday he told me that he was a ruined man, that he could get no employment whatever.<sup>977</sup>

Dodwell's motive for the crime thus stemmed from his failure to secure employment and provide for his family. The idea that he was a 'ruined man' is important. Not only did Dodwell literally reduce his family to ruin but, as is also shown in Chapter Four, unemployment and a lack of means to support one's family led to feelings of failure.

Despite Flowers' assertion at Bow Street that Dodwell would get the opportunity at his trial to air his grievances, the judge, Baron Huddleston, stopped Dodwell from asking Agnes Gower, former matron of the Industrial School, questions relating to the conduct of the Guardians which had ultimately led to his dismissal. Huddleston stopped the trial at this point and asked the jury to consider the verdict. After half an hour they declared, 'we find that the prisoner fired the pistol, but that it was not charged with anything calculated to kill or do grievous bodily harm; and that he fired the pistol whilst labouring under a delusion as to his supposed wrong.' Huddleston then told them that they must 'acquit him altogether, if you don't find the pistol was loaded as to kill [...] or do any grievous bodily harm.' The jury conferred again and returned a verdict of not guilty. Dodwell was then charged with common assault and Huddleston instructed the jury to decide whether Dodwell had fired the pistol. If he had, he said, there is no doubt

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<sup>975</sup> Ibid.

<sup>976</sup> Smith, *Trial*, p. 93.

<sup>977</sup> *OBPO*.



that Dodwell is guilty, and warned the jury that they could not find him insane after the verdict was announced. Huddleston said that ‘the defence of insanity was not one to be lightly entertained’ and that ‘It was difficult to fix a rule with regard to insanity, but in the case of McNaughton the matter was fully discussed and the judge laid it down that the person doing the act knew at the time he was doing a wrong act.’ He continued:

No one could doubt that [Dodwell] was suffering under a strange delusion – labouring under the notion that he had been the victim of injustice. The failure of the actions he had taken seemed to weigh upon his mind, and in respect to that no one would doubt that he was labouring under a considerable delusion, as was shown by the evidence of the Master of the Rolls.

Huddleston then misdirected the jury to find Dodwell insane. He told them that it was their prerogative to decide whether they considered Dodwell to be responsible for his act ‘at a time when he was manifestly labouring under a delusion.’<sup>978</sup> As the jury turned away to discuss the verdict Dodwell interrupted, ‘You must have medical testimony, I humbly submit, to decide that.’ Dodwell then asked Huddleston if he could change his plea to guilty, but was refused. After five minutes the jury returned with a verdict of ‘not guilty on the ground of insanity’ and Dodwell was ordered to be detained during Her Majesty’s pleasure.<sup>979</sup>

The verdict is an interesting one. Throughout the trial many witnesses referred to Dodwell’s delusions. Yet, Dodwell made it clear that he had planned to shoot at Jessel and disclosed his motive. In the eyes of the legal profession a motive implied guilt.<sup>980</sup> Moreover, the McNaughton Rules stated that

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<sup>978</sup> ‘Central Criminal Court’, *The Times*, 16 March 1878, p. 11.

<sup>979</sup> ‘The Case of Shooting at the Master of the Rolls: Trial of Mr. Dodwell and Verdict’, *Standard*, 16 March 1878, p. 3; *OBPO*, ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 29 October 2012), March 1878, trial of Henry John Dodwell (t18780311-366).

<sup>980</sup> A motive also implied guilt to some laymen and alienists. Smith, *Trial*, pp. 121-122. One area of contention between medicine and the law was the existence of a motive in cases of insanity. Based upon his observations at Broadmoor, where he had been invited by William Orange to study its patients, John Charles Bucknill reported, ‘One remarkable characteristic of criminal insanity can scarcely fail to strike any earnest investigator at Broadmoor, which is that in the most unlikely instances he will discover a criminal

If a person commits a criminal act under the influence of an insane delusion, with a view to redressing or revenging some supposed grievance or injury [...] he is nevertheless punishable if he knew at the time that he was acting contrary to the law.<sup>981</sup>

As his letter to Taylor demonstrates, Dodwell knew that his act was illegal and thus he should have been punished. The question of why Dodwell was found insane arises. As happened in some criminal cases, the jury appear to have been guided by the judge. Huddleston not only compared Dodwell's case to McNaughton's but his speech indicates that he believed Dodwell was insane and that Jessel's evidence had proved this. The verdict not only adds to what has been shown in Chapters Three, Four and Five of this thesis, that the McNaughton Rules were unevenly applied, but in conjunction with these chapters highlights that the question of a defendant's insanity was sometimes directed towards a diverse and sometimes contradictory group of witnesses; neighbours, friends, relatives, alienists and, in this instance, an 'esteemed' judge. In Chapter Five it is shown that it was unusual for lay evidence to be the sole indicator of a defendant's unsound state of mind and medical evidence was sometimes called upon to strengthen a friend or relative's opinion that a defendant was insane or to provide an alternative explanation for insanity. Dodwell's trial suggests the power judges and juries still had over determining the existence of insanity in criminal cases.<sup>982</sup> Smith writes that 'Insanity was a potent symbol for a new and not always welcomed set of power relations; abnormality was becoming a hidden object of scientific study rather than a visible object of the law.'<sup>983</sup> In

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motive. The absence of such motive is said to be one of the most trustworthy marks of the offender who is innocent on account of mental disease. But if this maxim were accepted, there are few of the inmates of Broadmoor who would not have merited punishment; and Dr Orange fully confirms me in the statement that it is hazardous in the extreme to infer the absence of motive [...] from the kind of histories of an offender and of his offence which are usually given for the guidance of Courts.' 'Lumleian Lectures on Insanity in its Legal Relations', *Lancet*, 4 May 1878, 634-637 (pp. 634-635).

<sup>981</sup> The Rules quoted in Richard Moran, 'The Modern Foundation for the Insanity Defence: The Cases of James Hadfield (1800) and Daniel McNaughton (1843)', *Annals of the American Academy of Political Science*, 477 (1985), 31-42 (p. 40).

<sup>982</sup> Roger Smith shows that even when medical evidence was presented it sometimes had no bearing on the verdict. 'Defining Madness and Murder: An Introduction to Medico-Legal Belief in the Trial of Mary-Ann Brough, 1854', *Knowledge and Society: Studies in the Sociology of Culture Past and Present*, ed. by Robert Alun Jones and Henrika Kuklik, 4 (1983), 173-225 (pp. 175-176).

<sup>983</sup> Smith, *Trial*, p. 78.

his rejection of Dodwell's cries for medical evidence, Baron Huddleston appears to have taken a stand against rising medical authority.

After Dodwell was questioned at Bow Street the *Wrexham Advertiser*, *Denbighshire, Flintshire, Cheshire, Shropshire, Merionethshire, and North Wales Register* observed: 'In one important matter I think the public must be pretty generally agreed, and that is, that Mr Dodwell is not in his right mind, but we may expect conflicting evidence on this.'<sup>984</sup> And after the trial at the Old Bailey, *The Times* remarked, 'That he was insane we have no doubt' but observed, 'Mr Dodwell seems to have been one of those troublesome persons of whom it is difficult to know at any time whether they are sane or insane.'<sup>985</sup> The decision to find insanity in some cases was, as Smith writes, 'fraught with controversy' and Dodwell's committal to Broadmoor was no exception.<sup>986</sup>

## II. The Medical Profession

In their studies of criminal trials scholars have shown that insanity could be found without medical evidence.<sup>987</sup> Yet British alienists were determined to claim their right to identify criminal lunacy. This was to be expected; after all, through the passage of various Acts and the opening of Broadmoor, the Home Office had developed and encouraged the legal *and* medical categorisation of the criminal lunatic. Although alienists considered themselves experts, however, the courts did not always grant them that status. This raised contention within the medical profession because, as Smith writes, 'since society had gone to great lengths to institutionalise lunacy, it was reasonable to expect it to listen to

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<sup>984</sup> 'London Gossip', *Wrexham Advertiser, Denbighshire, Flintshire, Cheshire, Shropshire, Merionethshire and North Wales Register*, 2 March 1878, p. 7.

<sup>985</sup> 'The Trial of the Rev. Henry John Dodwell', *The Times*, 16 March 1878, p. 9.

<sup>986</sup> Roger Smith, 'The Boundary Between Insanity and Criminal Responsibility in Nineteenth-Century England', in *Madhouses, Mad-Doctors, and Madmen: The Social History of Psychiatry in the Victorian Era*, ed. by Andrew Scull (London: The Athlone Press, 1981), pp. 363-377 (p. 363).

<sup>987</sup> *Trial*, p. 93.

those appointed to administer the results.<sup>988</sup> It is thus unsurprising that some alienists reacted angrily to Dodwell's trial and complained, as member of the Medico-Psychological Association Dr J. M. Winn did to the *British Medical Journal*, that 'it is monstrous that a man should be condemned as a lunatic without a medical opinion.'<sup>989</sup>

The verdict was critically analysed in the *Lancet* which used the case to illustrate 'the extraordinary position in which the law still places the question of responsibility'. It complained that 'the law empowers a lay jury to decide whether or not this disease – insanity – exists, with or without medical evidence. In short, the recognition of mental derangement is regarded on the same light, and placed on the same level, as the identification of handwriting.'<sup>990</sup> The journal was thus keen to point out that the verdict of insanity made Dodwell 'a *lunatic* in the eyes of the law' only, and because there was no evidence upon which to base the verdict, requested Dodwell be subjected to independent medical examinations.<sup>991</sup> It complained:

It is a new and disquieting fact that an accused person may be judged irresponsible on the ground of mental disease, and consigned to an asylum [...] without medical examination, or professional evidence produced at a trial! In the interests of justice, not less than of society, this [...] erroneous procedure ought to be amended [...] Surely it is not to be understood that a judge can put the issue "sane or insane" to a common jury, without the evidence of a single expert, and accept their finding as final.<sup>992</sup>

It was not a new fact that a person might be judged insane without medical evidence. By the 1870s alienists had seen a growing acceptance of their professional status but Dodwell's trial shows that it was not considered necessary to consult 'expert' opinion in criminal trials.<sup>993</sup> One of the *Lancet*'s main concerns was that judicial procedure had not been followed: 'it must be obvious to every member of the profession that justice will

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<sup>988</sup> Ibid., pp. 64. 77.

<sup>989</sup> 'The Case of the Reverend Mr. Dodwell', *BMJ*, 21 September 1878, p. 455.

<sup>990</sup> Untitled, *Lancet*, 23 March 1878, p. 429.

<sup>991</sup> 'The Case of Dodwell', *Lancet*, 10 August 1878, p. 192.

<sup>992</sup> 'The Case of Dodwell', *Lancet*, 11 May 1878, p. 690.

<sup>993</sup> Nigel Walker, *Crime and Insanity in England: Historical Perspectives* (Edinburgh: Edinburgh University Press, 1968), p. 119.

always be liable to fail through misdirection if medical evidence is to be discarded at a trial like that to which the prisoner was subjected.’<sup>994</sup> Giving evidence at a trial was one way for alienists to claim expertise but when denied that opportunity criticising the procedures around the insanity defence was another way for them to exert some authority, and this is what happened in Dodwell’s case.<sup>995</sup> A struggle between the legal and medical profession is thus evident; on the one hand Huddleston attempted to assert his legal prerogative not to concede to demands for medical evidence, and on the other hand in response to this, existed a group of alienists attempting to assert their professional authority.<sup>996</sup> A closer examination of Dodwell’s case indicates that simultaneous to this medico-legal debate there existed contentions within the medical profession itself.

Before he was sent to Broadmoor, at the request of his family and friends, Dodwell was examined by Dr L. F. Winslow and Dr J. M. Winn. Winslow reported to Home Secretary Richard Cross:

During my whole conversation with him he was calm and collected, there were no symptoms indicative of a morbid impulse. He appears to be a man driven to desperation [...] by circumstances. (He did not labour under any delusions) [...] He gave clearly and distinctly an account of his previous history [...] His conversation manner and general demeanour were most rational in every respect and I was unable to detect any symptoms indicative of mental disorder.<sup>997</sup>

Winslow reported that at the time of the assault Dodwell, ‘having failed in obtaining clerical employment had only a few shilling in the world with which to support a wife

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<sup>994</sup> *Lancet*, 23 March 1878; Untitled, *Lancet*, 1 June 1878, p. 809; ‘The Case of Dodwell’, *Lancet*, 10 August 1878.

<sup>995</sup> Smith, ‘Insanity and Criminal Responsibility’, in *Madhouses, Mad-Doctors, and Madmen*, ed. by Scull, p. 366.

<sup>996</sup> There had long been conflict between medical and legal notions of insanity. John Charles Bucknill, ‘Lumleian Lectures on Insanity in its Legal Relations’, *Lancet*, 13 April 1878, 521-526; Charles J. Cullingworth, ‘The Criminal Responsibility of the Insane’, *Lancet*, 17 October 1885, 708-712; Benigus Forbes Winslow, ‘Lettsomian Lectures. No III. On Medico-Legal Evidence in Cases of Insanity’, *Lancet*, 15 January 1853, 47-53; Henry Maudsley, ‘Criminal Responsibility in Relation to Insanity’, *Journal of Mental Science*, 41 (October 1895), 657-674 (pp. 665-674); William Orange, ‘An Address on the Present Relation of Insanity to the Criminal Law of England’, *BMJ*, 13 October 1877, 509-511; J. Russell Reynolds, *On the Scientific Value of the Legal Tests of Insanity: A Paper Read before the Metropolitan Counties Branch of the British Medical Association* (London: J & A Churchill, 1872).

<sup>997</sup> D/H14/D2/2/1/936a/8-10, medical report.

and four children', believed he had only one option left. Thus, as Taylor and Horton had implied at the Old Bailey, Winslow believed Dodwell was driven by destitution. Moreover, following the examination Winslow wrote to William Orange (Superintendent 1870-1886): 'I have heard other cases where certain acts have been committed to draw attention to them, but this was not per se insanity.'<sup>998</sup> Winn agreed with Winslow. He reported:

[I] could not discover the slightest indication of insanity. He was neither excited nor depressed and his manner throughout both visits was calm and self possessed. His conversation was perfectly coherent [...] There was not a trace of a delusion [...] In all he said he gave unmistakeable proof of his being a man of great ability and learning [...] he stated that he had never had any serious attack of illness and that there was no hereditary taint of insanity in his family.<sup>999</sup>

To Winslow and Winn, Dodwell exhibited all the signs of a (sane) man: rationality, coherence, calmness, self-awareness and self-control. He gave a clear indication of his motives which although indicated he was guilty of the crime, demonstrated his sanity.

Dodwell was admitted to Broadmoor on 30 March 1878.<sup>1000</sup> Newgate's Dr Gibson completed Schedule A. Notable answers on Dodwell's certificate were the following:

State of Bodily Health: Good  
Whether of Suicidal or Dangerous to Others: Neither  
Supposed Cause: (no evidence was offered of his insanity)  
Chief Delusions or Indications of Insanity: None  
Whether Subject to Epilepsy: No  
Whether of Temperate Habits: Yes  
Degree of Education: Superior.<sup>1001</sup>

Dodwell was then, sent to Broadmoor in the eyes of at least three physicians, a sane man.

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<sup>998</sup> D/H14/D2/2/1/936a/7, letter to Orange.

<sup>999</sup> D/H14/D2/2/1/936a/12-13, medical report.

<sup>1000</sup> William Orange, *Reports of the Superintendent and Chaplain of Broadmoor Criminal Lunatic Asylum with Statistical Tables, For the Year 1878* (London: George E. Eyre and William Spottiswoode, 1879), p. 46.

<sup>1001</sup> D/H14/D2/2/1/936a/2, Schedule A.

Two months after Dodwell was committed, Cross was asked in the House of Commons why he ‘refuses to release a man who has been reported [...] on high medical authority as being of perfectly sound mind.’<sup>1002</sup> Nigel Walker writes that ‘Home Secretaries are politicians first, and their ability to keep their mouths shut has varied, especially when under strong attack.’<sup>1003</sup> Cross was determined to defend himself and responded:

When [...] Dodwell was found to be insane by a verdict of his countrymen, he was sent in the ordinary course to Broadmoor. Some time ago, letters were received at the Home Office from Dr. Wynn [sic] and Dr. Forbes Winslow [...] Those letters were sent [...] to the authorities of Broadmoor, with an intimation that when they were able to report that it would be consistent with the safety both of the public and of the prisoner himself that he should be either absolutely or conditionally discharged, his case would then be considered by the Secretary of State, and not till then. No Report had yet been received.<sup>1004</sup>

No such report was likely to materialise. On 30 May 1878, Orange and David Nicolson (Superintendent 1886-1896) examined Dodwell and found him insane. They delved more deeply into Dodwell’s history than anyone had previously and rejected Winslow and Winn’s opinion that there was no sign of an hereditary taint. They found that Dodwell’s father had died aged thirty nine ‘after a life of extremely intemperate habits.’<sup>1005</sup> As Chapter Four shows, alienists linked drunkenness to insanity; both exemplified a loss of control and alcohol in the blood stream was also believed to affect the brain, cause insanity and hereditary degeneration. As if to further this familial link they also noted that Dodwell had ‘one brother resident in England who appears to have had a very unsteady life.’<sup>1006</sup> The notion of hereditary taint was popular amongst mid to late-nineteenth century alienists. Henry Maudsley expressed the opinion that ‘no one can escape the

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<sup>1002</sup> HC Deb 24 May 1874, vol. 240, col 622.

<sup>1003</sup> Walker, *Crime and Insanity*, p. 207.

<sup>1004</sup> HC Deb 24 May 1874. Also, ‘House of Commons: The Case of the Rev. Mr. Dodwell’, *Lancet*, 20 April 1878, p. 591.

<sup>1005</sup> For the association between parental drunkenness and criminality in children, ‘The Relation of Criminality in the Offspring to Alcoholism in the Parents’, *Lancet*, 23 February 1901, p. 566.

<sup>1006</sup> D/H14/936a/135-63, letter from Orange.

tyranny of his organisation; no one can elude the destiny that is innate in him.’<sup>1007</sup>

Furthermore, in spite of his reportedly ‘superior’ education, Dodwell was destined to suffer in some capacity because

no training in the world will avail to elicit grapes from thorns or figs from thistles; it will ever be impossible to raise a stable superstructure of intellect and character on bad natural foundations. Education can plainly act only [...] within the conditions imposed by the species.<sup>1008</sup>

In addition to Dodwell’s alleged congenital defect, Orange and Nicolson reported:

that by allowing his thoughts to dwell continuously upon his supposed wrongs and grievances, to the exclusion of other and more healthy trains of thought, his mind has passed into a morbid condition in which he is unable to realise the real quality of his acts and words.<sup>1009</sup>

Thus, contrary to what Winslow believed, Dodwell’s prolonged attention upon his grievances had resulted in insanity; he was thus assumed to be suffering from morbid introspection, a concept introduced in Chapter Five. Alienists described affected individuals as those who had ‘come at last so far as to have lost [their] power of self-control, as to be unable to resist [...] temptation to what is known to be wrong.’<sup>1010</sup>

Medically this explained Dodwell’s crime; an act he committed knowing it was wrong. Orange and Nicolson thus explained Dodwell’s condition within existing notions of mental disease but not, it seems, within existing legal definitions of insanity. An examination of Nicolson and Orange’s Addresses and publications indicates that, like a number of alienists, they were both critical of the insanity law, particularly the ‘rigid’ right or wrong question which left out ‘consideration the possible workings of a whole

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<sup>1007</sup> Henry Maudsley, *Body and Mind: An Inquiry Into Their Mutual Influence, Specially In Relation To Mental Disorders* (London: Macmillan, 1873), p. 76.

<sup>1008</sup> Henry Maudsley, *Responsibility in Mental Disease* (London: Henry S. King and Co., 1876), p. 28.

<sup>1009</sup> D/H14/A1/2/4/4, Council Chairman’s letter book, pp. 77-78.

<sup>1010</sup> Michael J. Clark, “‘Morbid Introspection’, Unsoundness of Mind, and British Psychological Medicine, 1830-1900’, in *The Anatomy of Madness: Essays in the History of Psychiatry*, ed. by William F. Bynum, Roy Porter and Michael Shepherd, 3 vols (London: Routledge, 1985-88), VIII (1988), pp. 71-101 (pp. 79-80).



range of diseased mind.’<sup>1011</sup> Both men believed that a person may be mad but still aware that the act they were planning was illegal; something seemingly the case in this instance.

Despite his declaration in Parliament that he would wait until told by the Broadmoor authorities that it was safe to release Dodwell, Cross, having previously rejected their reports, requested that Winslow and Winn jointly examine Dodwell at Broadmoor, which they did on 21 June 1878.<sup>1012</sup> They echoed their previous observations and concluded that Dodwell exhibited no symptoms ‘to justify his detention as a criminal lunatic.’<sup>1013</sup> The following month, Winslow and Winn’s initial reports were made public and the editors of the *Ecclesiastical Arts Review* wrote to Orange, ‘we have every reason to believe that, in consequence of the favourable opinions of Drs Forbes Winslow and Winn, the authorities are taking steps for the speedy liberation of this gentleman.’<sup>1014</sup> But this was not to be.

In July 1878, seemingly unhappy with the medical examinations that had already taken place, Cross instructed the medical inspector of convict prisons, Dr R. M. Gover, and alienist Dr W. Grange, to examine Dodwell. They were unimpressed with Dodwell’s character and with his ‘marked impatience with all authority’ which

is intimately associated with a morbid degree of self-consciousness, if not selfishness [...] This impatience of authority is carried so far as to render him unable to perceive that obedience to the law, even under a sense of injury, is one of the first duties of a member of a civilised community.<sup>1015</sup>

They recognised that such idiosyncrasies of character were not proof of insanity, yet delusions were, and Dodwell, they believed, suffered from many: that the Brighton

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<sup>1011</sup> David Nicolson, ‘The Measure of Individual and Social Responsibility in Criminal Cases’, *Journal of Mental Science*, 24 (April 1878), 1-25 (p. 9); William Orange, ‘An Address on the Present Relations of Insanity to the Criminal Law of England’, *BMJ*, 20 (October 1877), 553-554 (p. 553). For a similar opinion, Maudsley, ‘Criminal Responsibility’, pp. 658-670.

<sup>1012</sup> Chairman’s letter book, p. 87.

<sup>1013</sup> D/H14/A1/2/5/3, letters from Whitehall to the Council, p. 353.

<sup>1014</sup> D/H14/D2/2/1/936a/54, letter to Orange.

<sup>1015</sup> D/H14/D2/2/1/936a/58-66, medical report.

Guardians had forged entries in a book to make a case against him; that the Local Government Board had allowed this forgery in order to uphold the Guardians; that Malins had intentionally deceived him; that Jessel had committed perjury; and that all of these authorities were joined by Broadmoor's Council in conspiring against him. The delusions Dodwell was said to have exhibited were common amongst male patients. In his study of admissions into Buckinghamshire asylum, David Wright shows that male delusions were associated with work, status and property, and female delusions with kinship, family and household.<sup>1016</sup>

Simultaneous to this examination, Cross sent the medical report of Winn and Winslow to Orange and requested him to consider his opinion regarding Dodwell's sanity in relation to it.<sup>1017</sup> He informed William Hayter, Chairman of the Council of Supervision, that he would not consider Dodwell's release until told by Orange that it would be safe to do so. Orange considered the report 'vague and general [in] character' and told Cross that he found no reason to alter the opinion at which he had previously arrived and that he still believed Dodwell was 'deranged' when he committed the act. 'This opinion is not of my own alone' Orange wrote, 'but it is shared by both the medical officers of the asylum, and it is also the opinion at which Dr Gover arrived, after an examination of the patient, which was made in conformity with instructions conveyed in a letter from the Secretary of State.' And consequently, as 'the reasons upon which this opinion is based have been already fully stated [...] it appears unnecessary to burden this memorandum with a repetition of the statement of them.'<sup>1018</sup> In 1877, Orange presented an Address at the Reading branch of the *British Medical Journal* in which he expressed

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<sup>1016</sup> David Wright, 'Delusions of Gender?: Lay Identification and Clinical Diagnosis of Insanity in Victorian England', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (New York: Rodopi, 2004), pp. 149-176.

<sup>1017</sup> Chairman's letter book, p. 89.

<sup>1018</sup> *Ibid.*, p. 90.

his approval of the power the Home Secretary held to interfere in criminal cases.<sup>1019</sup> But an examination of Orange's letters to the Home Office suggests his increasing frustration at the multiple requests to re-examine Dodwell. He told Cross that Dodwell was rightly found insane and

The result of this finding is that he will be kept in confinement just so long as, and no longer than, the Secretary of State may deem to be right. By the 5<sup>th</sup> section of the 30<sup>th</sup> Vict: Cap 12, it is enacted that, "it shall be lawful for one of Her Majesty's principal Secretaries of State to discharge absolutely or conditionally any Criminal Lunatic" and it may be here observed that although the sanity or otherwise of a criminal lunatic necessarily forms a most important element when considering the question of his discharge [...] there are other circumstances which have also to be considered, and that, whilst on the one hand the Secretary of State is by no means required by any Statute to discharge a Criminal Lunatic who may have been certified to be sane, so on the other hand he has full power to discharge any criminal lunatic if he deem it right to do so irrespective of any certificate of insanity.<sup>1020</sup>

In spite of Orange's assertion that the Home Secretary may discharge a criminal lunatic at his own discretion, in September 1878 Cross appointed two more alienists to examine Dodwell, fellow of the Royal College of Physicians, George Fielding Blandford, and Henry Maudsley. News of this spread and gave Dodwell's supporters hope, with the editors of the *Journal of Psychological Medicine* trusting that after this examination, the 'authorities will soon liberate [him] and permit him to return to his family, for we think he has had sufficient incarceration for his unjustifiable act.'<sup>1021</sup> This was not to be. Blandford had previously been critical of Maudsley's views and was increasingly critical of his degenerationist ideas.<sup>1022</sup> Yet the two men were united in their opinion of Dodwell whom they found to be 'labouring under a common form of insanity which is characterised by delusions of persecution and suspicion.' They concluded that because

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<sup>1019</sup> Orange, 'An Address on the Present Relations of Insanity to the Criminal Law of England', p. 554.

<sup>1020</sup> Chairman's letter book, p. 91.

<sup>1021</sup> D/H14/D2/2/1/936a/30, 'The Case of the Rev. Mr Dodwell' in the *Journal of Psychological Medicine*.

<sup>1022</sup> D. A. Power, 'Blandford, George Fielding (1829–1911)', rev. Nick Hervey, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/31921>, accessed 26 Jan 2013].

Dodwell could not see the ‘folly or the wrong of what he has done’ he was ‘a proper person to be detained under care and treatment.’<sup>1023</sup>

Why Cross requested numerous independent medical reports is unclear, particularly when we consider two things: first, so many independent medical reports seem unnecessary given his assertion that he would only consider Dodwell’s discharge once informed by Broadmoor that it would be safe to release him; and second, legally, the Home Office did not require medical evidence to determine the fate of a criminal lunatic. That Dodwell’s case was openly discussed in the press, medical press and in Parliament may have had something to do with it. Indeed, Cross may have felt the need to restore public confidence in judicial procedure, something the *Lancet* believed had been severely shaken. Parliamentary evidence suggests that when faced with conflicting medical reports, Cross wanted to be certain of Dodwell’s mental condition. In February 1879, Cross was asked in the House of Commons ‘if his attention has been drawn to the statements that have appeared in the medical newspapers, respecting the mental condition of the Rev. H. J. Dodwell [...] and, if it would be safe to order his release?’ He responded:

I had this gentleman examined [...] [and it was] [...] decided that he was insane. He was again examined in June by two other medical officers, when the same answer was returned. In consequence of a report which appeared by Dr. Winn and Dr. Forbes Winslow, I thought it better that he should be examined again by two [...] independent gentlemen. I wrote to the Lunacy Commissioners asking them to name two gentlemen to undertake such an inquiry. They did so, and those gentlemen examined him [in] [...] September, and their opinion was that he was decidedly insane [...] I gave instructions that information should be sent to me of any improvement in his condition; but I [...] I have received no report.<sup>1024</sup>

The editors of the *Lancet* approved of the independent medical reports: ‘[Cross], it now appears, [has] very properly repaired the judicial blunder committed under the supervision of Baron Huddleston’ and were satisfied that these medical reports ‘have left

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<sup>1023</sup> D/H14/D2/1/1/936a/75-83, medical report.

<sup>1024</sup> HC Deb 25 February 1879, vol 243, col 1748-9.

no doubt that the prisoner was insane.’<sup>1025</sup> On the other hand, Louisa Lowe, founder of the Lunacy Law Reform Association (1873) who was allegedly illegally incarcerated in an asylum between October 1870 and December 1871, viewed the Home Secretary’s actions with scepticism.<sup>1026</sup> In *The Bastilles of England* (1883) Lowe interrogated the workings of the English Lunacy Laws and described cases in which there were questionable grounds for incarceration. Dodwell’s case, she wrote, illustrated the ‘strong distrust of medical certificates’.<sup>1027</sup> She re-printed the medical report of Winslow and Winn and observed that Cross ‘declined to be guided by it, and [...] sent a medical man of his own selection, who gave an opposite opinion, on which Mr Dodwell’s detention has been prolonged.’<sup>1028</sup> She continued:

Curiously enough, Dr L. S. Forbes Winslow and Dr Winn are the physicians who [are] presently [...] employed by Sir Henry de Bathe to certify his neighbour’s wife a lunatic. But for a purely fortuitous circumstance she would have been shut up, probably for the term of her natural life, in some madhouse jail, and the law would have deemed the certificates of Drs. Winslow and Winn that she was of ‘unsound mind’ quite sufficient justification of the deed. Why then does not [the Home Secretary] consider certificates *from the same men* that the Rev. H. J. Dodwell is of sound mind justification for releasing that misguided and unfortunate gentleman?<sup>1029</sup>

Lowe believed this was because he ‘knows, and gives practical effect to his knowledge, that medical men see as a rule what they are sent and paid to see.’ She accused him of being guided by his own views and those of Baron Huddleston: ‘Had these been in favour

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<sup>1025</sup> ‘The Case of Dodwell’, *Lancet*, 1 March 1879, p. 314.

<sup>1026</sup> For Louisa Lowe, Helen Nicolson, ‘Introduction’, in *Women, Madness and Spiritualism*, ed. by Roy Porter, Helen Nicolson, and Bridget Bennett, 2 vols (London and New York: Routledge, 2003), VI, pp. 139-156.

<sup>1027</sup> Louisa Lowe, *The Bastilles of England; or, The Lunacy Laws at Work* (London: Crookenden and Co., 1883), p. 35.

<sup>1028</sup> *Ibid.*, p. 38.

<sup>1029</sup> *Ibid.*, pp. 38-39. Mrs Georgina Weldon, de Bathe’s neighbour, sued him for ‘trespass and slander.’ She believed that de Bathe ‘frightened her husband, her mother, and her brother into the belief that she was of unsound mind’ because he planned to open a private lunatic asylum and wished to have her sent there as a patient. See, ‘Mrs Weldon and Sir Henry de Bathe’, *Standard*, 20 November 1885, p. 2.

of liberating Mr Dodwell' she wrote, 'not one, but fifty doctors would have been found to confirm the Home Secretary's view.'<sup>1030</sup>

Winslow's assertion that Dodwell desired to support his family and was thus driven to assault Jessel because of his financial struggle was irrelevant in the eyes of some other alienists. The moral importance of work was emphasised in the Victorian era. Early in the nineteenth century the census listed the occupational status of families, but in 1851 the sexual division of labour had become permanently marked in the census when it began recording the occupation of males, thus associating occupation with masculinity.<sup>1031</sup> Indeed, 'It is by work, work, work – constant, never ceasing work – work well and faithfully done [...] that you are to rise out of things into men.'<sup>1032</sup> Employment was thus not viewed simply as a means of economic survival. Jenifer Hart has pointed out that no other book dignified labour to the extent of the Bible, and F. Knight has shown that the 'spiritual significance' of work was particularly important for Victorian Protestants.<sup>1033</sup> As a Protestant clergyman, Dodwell may have been aware of this. Dodwell's previous failure to work was a concern to some of the alienists who examined him. Orange acknowledged that the time might arrive when the question of Dodwell's release was raised and if this happened the following questions would need to be asked:

How would he support himself if discharged? Would anyone give him employment? Would he be willing to take the employment that might be offered to him and would he be able and willing to do the required work?

It must not be forgotten that, for [...] twelve month[s] [...] before he committed the act [...] his mental infirmity had rendered him unable to earn his living, and during that time,

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<sup>1030</sup> Lowe, *Bastilles*, p. 39.

<sup>1031</sup> Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle-Class 1780-1850* (London: Routledge, 2002), pp. 248-260.

<sup>1032</sup> William Landels quoted in John Tosh, *Manliness and Masculinities in Nineteenth-Century Britain* (Harlow: Pearson Education Limited, 2006) p. 92.

<sup>1033</sup> Jenifer Hart, 'Religion and Social Control in the Mid-Nineteenth Century', in *Social Control in Nineteenth Century Britain*, ed. by A. P. Donajgradzki (London: Croom Helm, 1977), pp. 108-137 (p. 128); F. Knight, "'Male and Female He Created Them': Men, Women and the Question of Gender", in *Religion in Victorian Britain: Culture and Empire*, ed. by John Woolfe (Manchester and New York: Manchester University Press, 1997), pp. 23-58 (p. 26).

his family were supported upon money which he had inherited from his mother until that resource was entirely exhausted.

Almost all the alienists who initially examined Dodwell thought him incapable of earning ‘a steady livelihood.’<sup>1034</sup> Dodwell’s employment record was considered a problem, and in May 1880 Orange and Nicolson reported to the Home Office some facts that ‘must not be forgotten’. Namely, that after leaving Oxford University Dodwell became assistant master at Bedford School and following his departure undertook an assistant mastership at Cheltenham School, but he was dismissed for unknown reasons in 1858. Dodwell then read theology and took orders as a clergyman. In 1861, he took a job at a private school in Kensington but gave it up because the woman he was engaged to refused to marry him. In 1863 he took a curacy at Barnston but according to Dodwell, the vicar ‘broke his word’ and so he left.<sup>1035</sup> To regain his place in the world then, Dodwell had to prove that he was capable of gaining and maintaining employment; he had to show that he wanted to provide for his family and was willing to abandon his selfish pursuit of reinstatement and perceived justice. Grange and Gover criticised Dodwell for the effect his actions had on his family:

he does not regret having wasted six years in endeavouring to prove that he was in the right, notwithstanding that he and his family were brought to the verge of begging in the attempt [...] he is determined to continue the struggle [...] Whatever may become of social order, or of common public interests [...] His first duty [...] is to himself.<sup>1036</sup>

It was a medical belief that ‘no man can possess peace of mind who is not independent – who cannot by his own exertions provide for his family’, and by his own account, Dodwell, like a number of the patients discussed in Chapter Four, was tired of the struggle he faced to provide for his wife and children.<sup>1037</sup> The importance of living up to

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<sup>1034</sup> D/H14/D2/2/1/936a/162, medical report.

<sup>1035</sup> Chairman’s letter book, pp. 313-316. Winslow rejected the claim that Dodwell was unindustrious, ‘The Case of the Rev. Mr. Dodwell’, *BMJ*, 17 August 1878, p. 271.

<sup>1036</sup> D/H14/D2/2/1/936a/58-66, medical report.

<sup>1037</sup> Lionel J. Beale, *The Laws of Health: In Relation to Mind and Body a series of Letters From an Old Practitioner to a Patient* (London: John Churchill, 1851), p. 209.

one's masculine status was a moral imperative, and it was one promoted in religious texts and in both medical literature and in Broadmoor where, as Chapters One and Two show, the Superintendent, medical officers and attendants all referred to the idle and unindustrious nature of some criminal lunatics. In Dodwell's case, industry was a quasi-medical category; a pre-requisite for release.

Broadmoor's Superintendent was required to send, upon request, a report to the Home Secretary regarding a patient's mental and physical condition. Orange and Nicolson never reported any improvement in Dodwell's mental health. In 1880 they reported that Dodwell accused all who came into official contact with him of dishonourable motives, insisted that he was right in firing at Jessel, accused Cross of illegally sending him to Broadmoor, and accused his brother of receiving money from the Government to betray him. Dodwell's insanity was shown further 'by his discontinuing to attend the Chapel Services, in the plea that the chaplain encourages immorality.'<sup>1038</sup> By the following year Dodwell had reportedly made little improvement, and Orange and Nicolson wrote that if released he 'would be very likely to commit acts, which, if not always positively dangerous to life, would be of great public inconvenience and subversive to social order.'<sup>1039</sup>

The medical reports portrayed Dodwell as a potential annoyance but had not necessarily justified his detention as a dangerous lunatic. At 6.45 p.m. on 6 June 1882 this changed. At Dodwell's request, Orange visited him in Block 2 where he was held. While Orange was seated and looking at some documents, Dodwell reportedly leaped out of his chair and struck him on the head with a stone concealed in a handkerchief.<sup>1040</sup> Orange received a scalp wound and sustained shock, and to avert 'permanent evil consequences'

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<sup>1038</sup> Chairman's letter book, pp. 313-316.

<sup>1039</sup> Ibid., pp. 393-394.

<sup>1040</sup> D/H14/D2/2/1/936a/235, letter to the HO.



he was granted a leave of absence.<sup>1041</sup> Nicolson took over his duties with support from Dr Charlton Bastian, a neurologist from University College London, and reported the ‘murderous attack’ to the Home Office. They responded:

It seems to have been [committed] with the most murderous intentions [...] The man is no doubt insane and is not responsible in the ordinary sense, but he must be quite aware that he has done wrong and been guilty of a gross outrage and I trust you may have the means of making him understand that he cannot attempt murder.<sup>1042</sup>

They were concerned that the attack might put ‘ideas into the heads of other patients’ and advised the attendants to be ‘specially watchful for a time.’<sup>1043</sup>

On his arrival at Broadmoor, Dodwell had been placed in Block 2, ‘the most privileged part of the asylum’, but following the attack he was transferred to Block 1 (The Strong Block).<sup>1044</sup> In 1888, Dodwell’s brother, George, asked Nicolson to return Dodwell to Block 2. He agreed that Dodwell’s assault on Orange was terrible but believed he had been ‘severely [...] punished for it.’<sup>1045</sup> Nicolson refused because he feared for the safety of Broadmoor’s staff. The same year, Nicolson told the Home Office that Dodwell was suffering from delusions ‘under which turbulent and even dangerous acts may be committed’ and was unfit to be released.<sup>1046</sup>

An examination of the evidence suggests that to Broadmoor’s medical staff and attendants, Dodwell’s behaviour and mental condition both deteriorated following the attack on Orange, justifying his continued stay in Block 1.<sup>1047</sup> Dodwell was recorded as abusive and threatening, very different from when he was committed. Correspondence described Dodwell’s anger towards staff, whom he referred to as a ‘lying vile set’, ‘liars’,

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<sup>1041</sup> D/H14/D2/2/1/936a/232, letter to the HO.

<sup>1042</sup> D/H14/A1/2/1/3, minutes of the Council; D/H14/D2/2/1/936a/225, letter to the HO.

<sup>1043</sup> D/H14/D2/2/1/936a/223, letter to Nicolson.

<sup>1044</sup> D/H14/D2/2/1/936a/235, Nicolson’s report to the HO.

<sup>1045</sup> D/H14/D1/2/1/936b/208, letter to Nicolson.

<sup>1046</sup> D/H14/D2/2/1/936c/1, letter to the HO.

<sup>1047</sup> D/H14/11/2/1, Male Patient Quarterly Returns (1883), p. 70.

‘scoundrels’ and ‘scamps’.<sup>1048</sup> The attendants, who perhaps feared for their own safety, reported their concerns about Dodwell’s behaviour to the Superintendent. In December 1883, attendant Thomas Blackburn warned Orange that he had heard Dodwell conspire with another patient against him: ‘it made my blood crawl to hear what was said by Dodwell last evening. I hope that the Lord will preserve you from such a bad man he is.’<sup>1049</sup> In 1886, the Lunacy Commissioners recorded Dodwell’s ‘insanely abusive’ behaviour towards them and depicted him as homicidal.<sup>1050</sup> So too did Nicolson who also reported that Dodwell was suffering from chronic mania.<sup>1051</sup> Chronic mania was a disease described in medical literature as characterised by

frequent outbursts and violent seizures [...] many [patients] have mischievous propensities, and are very destructive and dirty in their habits. The chief symptoms [...] are delusions not generally of a fixed character, but varied in their nature, rambling and incoherency in their conversation, [and] inability to fix the attention, or to concentrate the mind upon any subject apart from their morbid notions.<sup>1052</sup>

The evidence suggests that Dodwell’s only symptoms of chronic mania were his attack on Orange and his grievances towards those he believed had wronged him; but these were seemingly legitimate reasons to detain him.

According to the testimonies of the medical officers and attendants, Dodwell did nothing to bring into question the conclusion that he was unfit for release. He reportedly told Nicolson that the attack on Orange was premeditated and that he believed Cross and Hayter deserved to suffer the same fate. Nicolson used this as evidence to show ‘the murderous bent of mind and the great insecurity of such a man being permitted to go at

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<sup>1048</sup> D/H14/D2/2/1/936a/145, letter to Sarah Dodwell.

<sup>1049</sup> D/H14/D2/2/1/936b/20, letter to Orange.

<sup>1050</sup> Lunacy Commissioners’ Report, in *Reports upon Broadmoor Criminal Lunatic Asylum, With Statistical Tables, For the Year 1886* (London: Eyre and Spottiswoode, 1887), p. 12.

<sup>1051</sup> D/H14/D2/2/1/936b/176, medical report.

<sup>1052</sup> L. F. Winslow, *Mad Humanity: Its Forms Apparent and Obscure* (London: C. A. Pearson Ltd., 1898), p. 65.

large.’<sup>1053</sup> This contradicted previous medical reports in which Dodwell was considered ‘not [...] dangerous to life’ but merely a potential annoyance to society. Nicolson used a letter written by Dodwell as further evidence of the danger he posed to the public. This letter, Nicolson told the Home Office,

shows remarkably how his insanity has worked out a scheme of corruption and conspiracy against him on the part of most responsible officials [...]

It is apparent that the murderous attack upon the Superintendent was but the final explosion of the same insane train of ideas that has for several years embittered his mind against the representatives of Law and Authority.<sup>1054</sup>

The image of Dodwell Nicolson presented to the Government was one of a dangerous character. To make matters worse, in September 1885, ‘with the deepest regret and most unfeigned upset’, Orange announced his resignation, attributing his decision to the injury he sustained during Dodwell’s attack.<sup>1055</sup> In response, Home Secretary Cross announced, ‘Dr Orange is one of the very best and most useful men in the Home Office service. No one else will be found who will do his work anything like so well as he does it.’<sup>1056</sup> The Council were asked to ‘communicate again with Dr Orange on this matter and endeavour to induce him to reconsider his decision’.<sup>1057</sup> But, according to Bastian, the effects of the injuries Orange received at Dodwell’s hands were reportedly too severe: his injury ‘produced such effects as to make it [...] impossible that he will ever to able to practice his profession again in any mode whatsoever.’ The Home Office conceded and, after twenty-three years at Broadmoor, Orange resigned.<sup>1058</sup>

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<sup>1053</sup> D/H14/D2/2/1/936a/235, report on attack.

<sup>1054</sup> Ibid. Some alienists viewed the letters of the insane as worth studying, George Mackenzie Bacon, *On the Writing of the Insane* (London: John Churchill, 1870), p. 15.

<sup>1055</sup> NA, HO A41007, letter from Orange to the Council.

<sup>1056</sup> Ibid., letter from Cross.

<sup>1057</sup> Ibid., letter to the Council.

<sup>1058</sup> Ibid., letters to and from the HO.

Over the next few years Dodwell's condition reportedly deteriorated. Although he had once been a keen cricket player, Dodwell increasingly refused to go outside.<sup>1059</sup> Moral management, which Chapter Two shows was implemented at Broadmoor into the 1890s, promoted the importance of 'healthy recreations and amusements' in asylums which were believed to produce 'healthy tone' and give 'nerve and vigour to the shattered mind.'<sup>1060</sup> Sport and outdoor exercise were presumed to keep men in a state of alertness, and Dodwell's refusal to partake in such activities may have hindered his chances of liberation.<sup>1061</sup> Furthermore, Dodwell reportedly also became increasingly abusive towards Broadmoor's staff, and on one occasion threatened to 'spit in [the chaplain's] face' in response to a friendly 'Good evening'.<sup>1062</sup> Dodwell's condition never improved and on 15 June 1900, after twenty-two-years in Broadmoor, he died of 'gradual heart failure.'<sup>1063</sup> He was seventy-two.

### III. 'The Case of Henry Dodwell in his Own Words'

Roy Porter asked, 'What is it like to be mad?' Through an examination of the writings of the insane he went on to illustrate, uncritically and without an attempt to decode what was written, 'what mad people meant to say, what was on their minds.'<sup>1064</sup> In the previous chapters, I have sought to use the writings of Broadmoor's patients in a similar manner. But it is here, with the case of Henry Dodwell, that a patient's voice can really be brought to the fore. Dodwell spent the majority of his time in Broadmoor writing and receiving letters. He wrote to his family, friends, to old and new

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<sup>1059</sup> D/H14/D2/2/1/936b/46, extract from the ward journal.

<sup>1060</sup> Robert Gardiner Hill, *Total Abolition of Personal Restraint in the Treatment of the Insane: A Lecture on the Management of Lunatic Asylums, and the Treatment of the Insane* (London: Simpkin and Marshall, 1839), p. 46.

<sup>1061</sup> John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press), p. 111.

<sup>1062</sup> D/H14/D2/2/1/936c/171, memorandum.

<sup>1063</sup> D/H14/D2/2/1/936c/215, death certificate.

<sup>1064</sup> Roy Porter, *A Social History of Madness: Stories of the Insane* (London: Phoenix, 1999), p. 1.

acquaintances. These letters reveal what he thought about his alleged insanity and incarceration, his views of the asylum keepers, why he assaulted Jessel and provide an account of his fight for liberation. They also highlight his views on morality and family. That Dodwell was a clergyman was sweepingly referred to in press reports (he was the ‘Rev. Henry John Dodwell’) and seemingly overlooked during his trial. In addition, it was not discussed by Broadmoor’s medical officers or Superintendents, or by the alienists who examined him. Nothing much can thus be made of the fact that Dodwell was deeply religious from the point of view of the press or the legal and medical minds involved in the case. Dodwell’s writings do, however, provide the opportunity for us to gain an insight into what a Protestant believed about Broadmoor, insanity and the family.

In 1899, Dodwell wrote ‘The Case of Henry Dodwell’.<sup>1065</sup> Never published, and rarely seen since then, this account provides a glimpse into the mind of an asylum patient. It indicates that, unlike some of the alienists who examined him, Dodwell did not consider his incarceration the result of insanity. Rather, it was a consequence of his dismissal as chaplain to the Brighton Industrial School, a post he began in 1868.<sup>1066</sup> In 1872, Agnes Gower, the Matron, and the Superintendent of the school, informed Dodwell that the Guardians were placing immoral women in the school to train the girls.<sup>1067</sup> Dodwell complained to the Guardians about this and he was dismissed from his post. Dodwell later told Broadmoor’s Council that this was unjustifiable:

The only offence that I gave to the Guardians was that I as Chaplain resisted women (well known to be convicted thieves and having illegitimate children at the school) being placed to train the girls and that I strongly discountenanced the action of the guardians who forced the Matron to receive back to the dinner table the school master and school mistress whom she caught in the woman’s bedroom almost in the very act of copulation.<sup>1068</sup>

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<sup>1065</sup> D/H14/D2/2/1/936c/183-90, ‘The Case of Henry Dodwell in His Own Words’.

<sup>1066</sup> Chairman’s letter book, p. 314.

<sup>1067</sup> ‘The Case of Henry Dodwell in His Own Words’.

<sup>1068</sup> D/H14/D2/2/1/936c/36, letter to the Council.

In 1876 Dodwell set about proving the immorality of the Guardians and his wrongful dismissal that occurred as a result. This eventually led him to assault Jessel and to his incarceration.

Like some of his fellow patients, including George Wilson and Alfred Bligh, whose cases are discussed in Chapter Four, and some other well-known nineteenth-century asylum patients who are discussed later in this chapter, including John Perceval, Herman Merivale and Louisa Lowe, Dodwell fervently disputed the label of madness and his confinement. On 2 May 1878 he wrote to the Council in what was the first of hundreds of complaints. He was aggrieved that although Winslow and Winn had considered him sane, Orange and Nicolson ‘would seem to be lending their professional powers and the intellect which God has granted them to the upholding of that which is wrong’, i.e. his incarceration.<sup>1069</sup> Dodwell told one of Broadmoor’s attendants the verdict of insanity was

against the law of England. For as the surgeon of Newgate who was the only medical man that officially visited me in that gaol expressed his opinion that I was sane and allowed such an opinion to be published by Dr Winslow and Dr Winn he was unable and through notices of honour unwilling to sign the Certificate.<sup>1070</sup>

Dodwell believed that he had been sent to Broadmoor on either an unsigned or forged certificate (Schedule A). In his study of wrongful confinement and the Victorians, Peter McCandless shows that medical certificates were sometimes filled out improperly or illegally, but this does not appear to have happened in Dodwell’s case; although Gibson observed no indications of insanity in Dodwell, he did sign the certificate.<sup>1071</sup>

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<sup>1069</sup> D/H14/D2/2/1/936a/14, letter to the Council.

<sup>1070</sup> D/H14/D2/2/1/936a/192, letter to attendant Bailey.

<sup>1071</sup> Peter McCandless, ‘Liberty and Lunacy: The Victorians and Wrongful Confinement’, *Journal of Social History* 11:3 (1978), 366-386 (p. 371).

Studies of wrongful confinement tend to focus on private asylums, eminent individuals and on women.<sup>1072</sup> An examination of Dodwell's case adds to existing studies because it shows that it was not just in private asylums that the question of illegal incarceration was raised, nor did individuals require wealthy relatives willing to pay allegedly corrupt medical doctors in order for the legality of their certification to be questioned. Indeed, as discussed earlier in the chapter, Louisa Lowe implied that the Home Secretary could assume the role of a disgruntled or cruel relative in convincing medical professionals to declare an individual insane, to either have them committed or to prolong their confinement in a public asylum.

The question of wrongful confinement was debated in the press and sensationalised by novelists. In the mid-eighteenth century Daniel Defoe condemned the confinement of women as a 'vile practice now so much in vogue among the better sort' and in 1830 John Conolly expressed similar concern.<sup>1073</sup> Later in the nineteenth century, sensation novelists Wilkie Collins and Charles Reade published *The Woman in White* (1860) and *Hard Cash* (1863) respectively and, as Helen Nicolson writes, had a significant role in raising public awareness of the need for lunacy reform.<sup>1074</sup> In 1858-59 and 1876-77 there were panics regarding wrongful confinement which led to the appointment of Select Committees of the House of Commons but as McCandless points out these only exacerbated public fears.<sup>1075</sup> In addition there were a number of well-publicised accounts of real-life cases of alleged wrongful confinement. John Perceval believed he was wrongly detained in an asylum for two years after he had been declared

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<sup>1072</sup> Pamela Michael, 'Class, Gender and Insanity in Nineteenth-Century Wales', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 95-122; Anne Shepherd, 'The Female Patient Experience in Two Late-Nineteenth Century Surrey Asylums', in *Sex and Seclusion*, ed. by Andrews and Digby, pp. 223-248.

<sup>1073</sup> Valerie Pedlar, *The Most Dreadful Visitation: Male Madness in Victorian Fiction* (Liverpool: Liverpool University Press, 2006), p. 80; Elaine Showalter, *The Female Malady: Women, Madness and English Culture, 1830-1980* (New York: Virago Press, 1987), p. 103.

<sup>1074</sup> Nicolson, 'Introduction', in *Women, Madness and Spiritualism*, ed. by Porter *et al*, p. 145.

<sup>1075</sup> McCandless, 'Liberty and Lunacy', p. 366.

sane. He published *A Narrative of The Treatment Experienced by a Gentleman, During a State of Mental Derangement; Designed to Explain the Causes and the Nature of Insanity, and to Expose the Injudicious Conduct Pursued Towards Many Sufferers Under That Calamity* (1838) and formed the Alleged Lunatics Friend Society (ALFS) in 1845.<sup>1076</sup> Following her release from the asylum, Louisa Lowe attempted to prosecute the Lunacy Commissioners for allowing her to remain incarcerated even though she was sane; she lost the case but drew public attention to wrongful confinement. In 1873 Lowe formed the Lunacy Law Reform Association, which succeeded ALFS, and spoke at public meetings and gave lectures. In 1877 the Government appointed a Select Committee to investigate the lunacy laws and Lowe gave evidence regarding her own incarceration and drew attention to a number of other cases of alleged wrongful confinement.<sup>1077</sup> In 1883 she published *The Bastilles of England*. In 1879, Herman Charles Merivale anonymously published his own story of being twice wrongfully confined.<sup>1078</sup> In addition, some Broadmoor patients pleaded sanity and in their letters expressed disdain at their continued confinement even though they had been declared sane; for example as in Robert Hallowell's case, a child murderer whose case was examined in Chapter Four. Such cases led the editors of *Lloyds Weekly Newspaper* to express their concern that some of Broadmoor's patients were detained without reason.<sup>1079</sup> It was Dodwell's case, however, that created the most contention.

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<sup>1076</sup> John Perceval, *A Narrative of the Treatment Experienced by a Gentleman, During a State of Mental Derangement; Designed to Explain the Causes and the Nature of Insanity, and to Expose the Injudicious Conduct Pursued Towards Many Sufferers Under That Calamity* (London: Effingham Wilson, 1838).

<sup>1077</sup> The Select Committee was appointed 'To enquire into the operations of the Lunacy Law, so far as regards security afforded by it against violations of personal liberty.' A number of witnesses went before the Committee and expressed their opinions on matters connected with lunacy law administration and the treatment of lunatics. Lowe, *Bastilles*, p. 2.

<sup>1078</sup> Herman Merivale, *My Experiences in a Lunatic Asylum by a Sane Patient* (London: Chatto and Windus, 1879).

<sup>1079</sup> 'Sane People in Broadmoor', *Lloyds Weekly Newspaper*, 28 August 1898.



It is unknown whether Dodwell's supporters were aware of debates regarding illegal incarceration but it would be naive to assume they were completely clueless: many of them were literate men who had read about the case in the press, it is therefore plausible that they would have come across debates on the matter. Moreover, as McCandless writes, public suspicion of the asylum system was roused partly because 'the doctors themselves frequently differed sharply over the mental state of an individual'; and there is no denying that medical contention existed in Dodwell's case.<sup>1080</sup> Yet, even if Dodwell's supporters were unaware of any controversy surrounding some asylum committals, Dodwell undoubtedly drew their attention: he appears to have written to everyone he could think of to raise awareness of his alleged illegal incarceration.<sup>1081</sup> This led to a rush of letters to Orange and to the Home Office requesting to see the medical certificate.

The Guardians of the Poor of the Parish of St. Mary Abbots, Kensington, who contributed 14 l a week towards the maintenance of Dodwell, requested to see the certificate because they did not wish to call upon the ratepayers of Kensington to pay for his maintenance without being satisfied as to the legality of his committal.<sup>1082</sup> In spite of this, Orange and the Council refused, arguing that there was no Statute upon which the Guardians could request to see the certificate.<sup>1083</sup> The Guardians did not object to the refusal but others who were denied access were not as satisfied, and neither was Dodwell. Dodwell's suspicions were fuelled on 20 May 1880 when Mr Smith, Mr Camplin, Mr Mather and Mr Keith, who had sympathised with his case after reading about it in the press, visited him. They demanded to see the certificate but a medical officer allegedly informed them that it did not exist, and that Dodwell was detained solely on the authority

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<sup>1080</sup> Ibid., p. 368.

<sup>1081</sup> D/H14/D2/2/1/936b/71-74, a list of Dodwell's correspondents.

<sup>1082</sup> D/H14/D2/2/1/936a/134, telegram to Orange.

<sup>1083</sup> D/H14/D2/2/1/936a/146, letter to the Council.

of the warrant of the Home Secretary. Dodwell used the incident to claim that William Harcourt, who succeeded Cross as Home Secretary in April 1880, had broken the law and to condemn Orange who, knowing there was no certificate, persisted to mark his outgoing letters as ‘coming from an insane man.’<sup>1084</sup> Dodwell was also visited by a number of solicitors who requested to see the certificate; they were all refused.<sup>1085</sup> In 1895 a friend of Dodwell’s, Lord Clifton, demanded from the Council information about the case. He argued that

no medical certificates, or copies, have ever been produced [...] The contention of Dr. Nicolson that the Secretary of State may dispose with such certificates by his warrant is simple nonsense and amounts to defiance of the statute. It is quite clear that by 23 and 24 vic cap 75 one proper medical certificate should have been received with Mr Dodwell.<sup>1086</sup>

Clifton received the standard response; that Dodwell had been received under the ‘proper warrant.’ Clifton did not take kindly to this: ‘I did not ask about the warrants at all; but I dispute the existence of the proper medical certificates.’<sup>1087</sup>

The question of why the authorities did not provide the certificate arises. In response to the request of the Guardians of St. Mary Abbots, the Council gave the following justifications to the Home Office for its refusal: First, ‘the Council are not aware of any statute which confers upon Boards of Guardians the right to ask for documents of this description relating to criminal lunatics.’ Second, ‘if this one particular document [...] were furnished to the Guardians, the Secretary of State would probably find it difficult to refuse to furnish copies of all other papers relating to Mr Dodwell’s

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<sup>1084</sup> D/H14/D2/2/1/936a/193, letter to Bailey.

<sup>1085</sup> D/H14/D2/2/1/936b/85-6, correspondence between Cuthbert Curtis and Orange; D/H14/D2/2/1/936c/165-166, letters from Budd, Brodie and Hart.

<sup>1086</sup> D/H14/D2/2/1/936c/132, letter to the Council.

<sup>1087</sup> D/H14/D2/2/1/936c/133-4, letter to Clifton.

case'.<sup>1088</sup> It may also have been due to what Gibson recorded on the certificate; that 'no evidence was offered of [Dodwell's] insanity.'<sup>1089</sup>

To raise awareness of his illegal incarceration Dodwell also wrote to the press. In July 1878 he forwarded to John Bray, friend and editor of the *Ecclesiastical Art Review*, a letter he had sent to Cross in which he discussed his illegal incarceration and the conspiracies against him, which he wished Bray to publish.<sup>1090</sup> Bray did not consider it politic to publish the letter, for although

no one doubts or is disinclined to believe anything in your statement [...] your case is so well known to every newspaper in London, that it would be superfluous to publish more, the great thing to do is to get you liberated and you must allow us to work the matter in the best way that is available.<sup>1091</sup>

Dodwell did not think so, and rather than continuing to send letters regarding his illegal detention, he began to point people towards his writings in an attempt to prove his sanity.<sup>1092</sup>

Convinced that his pleas to the Home Office and to the Broadmoor authorities were being ignored, Dodwell sent Latin transcriptions to newspapers and acquaintances whom he hoped would help him. This led some to question the verdict of insanity. In May 1883, Dodwell received a letter from an acquaintance, C. C. Higgins, who wrote, 'you ought to be headmaster of Eton or some similar school. Gladstone [...] and some others [...] [believe] that you are mad, nobody who was mad could write such beautiful

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<sup>1088</sup> Chairman's letter book, p. 286.

<sup>1089</sup> Schedule A.

<sup>1090</sup> D/H14/D2/2/1/926a/45, letter to Bray.

<sup>1091</sup> D/H14/D2/2/1/926a/50, letter to Dodwell.

<sup>1092</sup> The editors of *Lloyds Weekly* appear to have supported Dodwell's pleas of sanity. In 1898 Dodwell unsuccessfully petitioned the Home Secretary for his discharge and as a result he wrote to the publication, in which it was subsequently reported: 'we have [...] received a letter from the aged prisoner himself expressing his pain and sorrow at his continued incarceration.' In response, the editors, opined, 'it is surely not right that a sane and educated man should be forced to herd with murderers.' 'Sane People in Broadmoor'. Also, "'During Her Majesty's Pleasure': Another Peep Into Broadmoor", *Lloyds Weekly Newspaper*, 21 August 1898.

letters.’<sup>1093</sup> And in 1884 James Howard, MP, told Dodwell that ‘the officers of Broadmoor [...] have no right to treat a scholar and a gentleman with such indignity as you describe.’<sup>1094</sup> Others were not convinced. Dodwell’s second cousin and retired physician, Ferguson Branson, wrote frequently to Dodwell and the Superintendent. He never visited Dodwell in Broadmoor nor had he seen him prior to his committal, but Branson concluded from the tone and content of Dodwell’s letters that he was ‘labouring under insanity and [...] that he has [...] delusions as to his case.’ Branson did not consider that as an ‘accomplished scholar’ Dodwell was sane. Rather, it was a ‘sad case’ but ‘from certain remarks in his own letters to me [...] he is in the right place.’<sup>1095</sup> Similarly, the Bishop of Chichester told Dodwell, ‘your letter seems to point at some derangement of your mind.’<sup>1096</sup> As the years passed, Dodwell continued in vain to send his Latin transcripts to those he believed could help him, but by the mid 1880s he believed the English press had deserted him. In consequence, he expressed the desire to send his work to foreign scholars, ‘for I think that when they have read them, and found that I have been placed here by revenge [...] they will take measures to get me out.’<sup>1097</sup> From then on Dodwell began writing letters to European and American news outlets, telling them about his case, his Petition of Right and his desire for freedom.<sup>1098</sup> That Dodwell could orchestrate (or attempt to orchestrate) an international media campaign from Broadmoor shows just how open and transparent the system could be.

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<sup>1093</sup> D/H14/D2/2/1/936b/4, letter to Dodwell.

<sup>1094</sup> D/H14/D2/2/1/936b/21, letter to Dodwell. Dodwell was not the only ‘scholar’ in Broadmoor at this time. William Minor made a significant contribution to the *Oxford English Dictionary* whilst in the asylum. There is evidence of some contact between these two men who, for a portion of their confinement at least, were both held in Block 2. Dodwell wrote to Minor and told him about an attack of asthma and bronchitis his son, Henry, had suffered from, D/H14/D2/2/1/936c/68. There is no record of Minor’s reply.

<sup>1095</sup> D/H14/D2/2/1/936a/141-2, letters to Orange. A lack of family values (he never mentioned his wife or children) indicated to Branson just as it had to Gover and Grange that Dodwell was insane. D/H14/D2/2/1/936a/187, letter to Orange.

<sup>1096</sup> D/H14/D2/2/1/936a/53, letter to Dodwell.

<sup>1097</sup> D/H14/D2/2/1/936b/57, letter to an attendant.

<sup>1098</sup> D/H14/D2/2/1/936a/260, letter to an unknown correspondent; D/H14/D2/2/1/936b/147, letter to Henry.

This lack of support from the press coupled with frustration over his perceived illegal incarceration, led Dodwell to believe that his only remaining option was to gain a hearing which would in turn raise the profile of his case. Dodwell consulted some legal books and came across a ruling against a Police Constable who had arrested a man without a warrant. In this case, the Magistrate told the constable he was lucky the prisoner had not resisted and killed him because he would not have faced charges. Dodwell saw a parallel between this case and his own: ‘it seemed plain to me that this man could get his liberty by killing any one of these men and he would not be to blame [...] in my case they would not listen to reason or fact.’<sup>1099</sup> With his newly acquired legal understanding coupled with an increasing fear of insanity, on 6 June 1882, Dodwell attacked Orange.<sup>1100</sup> His supporters condemned the attack. William J. Hooper, who had previously petitioned the Home Secretary for Dodwell’s release, wrote to him: ‘I fear now that all hopes of your liberation are things of the past. What on earth induced you to commit that foolish assault, as might be expected all your friends have withdrawn from the case.’<sup>1101</sup> For many the attack confirmed that Dodwell was insane and would remain a criminal lunatic for life.<sup>1102</sup>

When he was first admitted into Broadmoor, Dodwell’s wife, Eliza, regularly wrote to Orange to enquire about her husband’s progress and arrange visits, which she undertook with their children or friends.<sup>1103</sup> Despite her dedication, Dodwell became increasingly suspicious and accusatory of her. Following his assault on Orange, Mr Hooper told to Dodwell that Eliza looked ‘very ill, but that she intended to visit [...] I am

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<sup>1099</sup> D/H14/D2/1/936c/107, letter to Lord Clifton.

<sup>1100</sup> Ibid. Dodwell told Clifton that he had discovered the authorities intended to keep him in Broadmoor ‘for life, or till my reason gave way’.

<sup>1101</sup> D/H14/D2/2/1/936a/241, letter to Dodwell. In 1881, Hooper interviewed Dodwell in Broadmoor and ‘being under the impression that he was perfectly sane’ petitioned the Home Secretary for his release; the petition was rejected: ‘The Rev. H. Dodwell – Mr. W. J. Hooper’, *The Times*, 24 May 1881, p. 6.

<sup>1102</sup> D/H14/D2/2/1/936c/132, letter to Orange.

<sup>1103</sup> D/H14/D2/2/1/936b/70, a list of Dodwell’s visitors.

glad to see that lady is trying to act a wife's part.'<sup>1104</sup> Dodwell did not agree. He believed that Eliza was stopping their sons, Edward and Henry, from visiting him and condemned her for 'dar[ing] to end her letters 'Your affectionate wife.' He wrote to her:

I consider a woman a good and true woman on whose word you can depend. You promised to help me in affection and sickness and you have done all in your power to keep me here and to prevent those who could get me out. In time [the children] [...] will [...] find out that you are a base dishonourable woman through whom they have lost their father, their home and their livelihood.<sup>1105</sup>

Dodwell's accusations against Eliza progressively worsened. He accused her of infidelity with the unmarried Mr Bray who had hitherto tried to help him, and criticised her abilities as a mother.<sup>1106</sup> Christianity helped to create and maintain particular ideas about woman and the home. It was believed by some that women were created as helpmeets to their fathers and brothers, and later to their husbands. Tosh writes that 'Victorian culture gave a distinctive twist to the duty of the wife to provide her husband with loving support.'<sup>1107</sup> She was supposed to be peaceful and motherly. The home, according to art critic and social commentator John Ruskin, was a place where 'all the cares and jealousies of life are excluded', it 'is the place of peace; the shelter not only from all injury, but from all terror, doubt and division.'<sup>1108</sup> Whilst Ruskin's elevated notion of the home was certainly not universal, Dodwell's scathing letters about the alleged behaviour of his wife suggests that he held similar beliefs. He complained that he had 'no peace at home' and had 'seen [Eliza] in a rage throw a heavy dinner-table knife at one of the children.' Moreover, he told Henry:

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<sup>1104</sup> D/H14/D2/2/1/936b/241, letter to Dodwell.

<sup>1105</sup> D/H14/D2/2/1/936b/144, letter to Eliza.

<sup>1106</sup> Dodwell's suspicions were fostered by a letter from Matilda Cousins, with whom Eliza had been living. She wrote that Bray had called on Eliza twice whilst she was there and 'During our own conversation he asked me did I not think it would be well for her to marry someone who could keep her as there was no possibility of your coming out again.' D/H14/D2/2/1/936b/172-3.

<sup>1107</sup> Tosh, *Man's Place*, p. 54.

<sup>1108</sup> John Ruskin, 'Sesame and Lilies' (1865), in *The Victorian Age: An Anthology of Sources and Documents*, ed. by Josephine A. Guy (Oxon: Routledge, 1998), pp. 505-519 (p. 506).

The most fearful step that your mother has taken is one which even men will not pardon viz That a mother should teach her own daughter to look upon gross indecency without horror. Your sister Dottie defended or excused that perfectly unpardonable insult afforded to Miss Gower [matron at the Brighton Industrial School] in just the same words as your mother had done. Moreover your mother never once expressed indignation at the behaviour of the guardians. At this I was amazed. Ask any real man his opinion of it.<sup>1109</sup>

Like some other Victorian men, Dodwell seemingly expected Eliza to act as ‘custodian of [the] moral flame.’<sup>1110</sup>

Dodwell’s ‘real’ man held strict notions about domesticity, marriage, morality and appropriate sexual behaviour. Moreover, his case lends some support Sean Brady’s suggestion that during the nineteenth century so much emphasis was placed on the importance of domesticity and the family ‘that it had a direct effect on how British people regarded sex between men.’<sup>1111</sup> This is demonstrated by Dodwell’s demarcation of ‘rational and respectable men’ of ‘sound mind and decent behaviour’ (himself and his fellow Queen’s pleasure patients’) from ‘worse-than-beast convicts’ who engaged in ‘a crime which barbarous nations do not practice’ (sodomy).<sup>1112</sup> Dodwell complained to Orange, the Council and to the Home Office about the sodomy in Broadmoor but according to his own account was ignored, something he attributed to the desire of Orange and the Home Secretary to keep him detained.<sup>1113</sup> It is plausible that Dodwell’s complaints were disregarded because they were assumed to be delusions. An examination of the archive, however, suggests that some of Broadmoor’s male patients were engaging in sexual activity.<sup>1114</sup> Brady suggests that in the mid-to-late nineteenth century, the Home Office, press, legislature and physicians, ‘went to great lengths to suppress and restrict’

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<sup>1109</sup> D/H14/D2/2/1/936c/10, letter to Henry.

<sup>1110</sup> Tosh, *Man’s Place*, p. 55.

<sup>1111</sup> Sean Brady, *Masculinity and Male Homosexuality in Britain, 1861-1913* (Basingstoke: Palgrave Macmillan, 2005), p. 26.

<sup>1112</sup> D/H14/D2/2/1/936a/98, letter to the Council; D/H14/D2/2/1/936a/201, letter to an unknown correspondent. For attitudes towards homosexuality, Charles Upchurch, *Before Wilde: Sex Between Men in Britain’s Age of Reform* (Berkley, Los Angeles and London: University of California Press, 2009); Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800*, 2<sup>nd</sup> edn (London and New York: Longman, 1989), pp. 97-107.

<sup>1113</sup> D/H14/D2/2/1/936a/118, letter to the Council.

<sup>1114</sup> For example, D/H14/D2/2/1/1230, Frederick Marshall’s case file.

discussions of sexual relationships between men.<sup>1115</sup> This was because sexual activity between men was perceived to challenge and complicate prevailing notions of manliness.<sup>1116</sup> This may be why Dodwell's complaints went unacknowledged.

An examination of Dodwell's letters suggests that his family were important to him. Following the accusations he made against Eliza his relationship with his children deteriorated, but they had once been close.<sup>1117</sup> When he was fourteen-years old, Dodwell's youngest son Edward ran away from school to visit him in Broadmoor. Edward made numerous visits to Dodwell and in February 1885 alone, visited him thirty-five times.<sup>1118</sup> Dodwell was proud that Edward 'ran away to see me and protect me from these villains', an opinion not shared by Broadmoor's staff.<sup>1119</sup> Edward made a number of requests to see the certificate his father was detained under and threatened Nicolson with a fine of £100 if he failed to provide it.<sup>1120</sup> Edward's interference caused concern amongst the medical officers who, adhering to contemporary medical notions that insanity could be hereditary, recorded: 'the boy may inherit some of his father's madness and cause annoyance.'<sup>1121</sup> This did not occur to Dodwell who wrote to Henry, 'I have great faith in what Teddy can do; he seems thoroughly willing to follow my advice and he is more obstinate than you are.'<sup>1122</sup>

Soon after Henry had left school, Dodwell expected him to be at his disposal and campaigning for his liberation. But Henry had his own livelihood to consider and was

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<sup>1115</sup> Brady, *Masculinity and Male Homosexuality*, p. 154.

<sup>1116</sup> *Ibid.*, p. 214.

<sup>1117</sup> For Henry's adverse reaction to Dodwell's accusations against Eliza, D/H14/D2/2/1/936c/104. Nicolson considered some of Dodwell's letters so inappropriate he refused to send them, D/H14/D2/2/1/936c/102, correspondence.

<sup>1118</sup> D/H14/D2/2/1/936b/67, letter to the HO.

<sup>1119</sup> D/H14/D2/2/1/936b/144, letter to Eliza.

<sup>1120</sup> D/H14/D2/2/1/936b/130, letter to Orange; D/H14/D2/2/1/936c/80, letter to Nicolson. The basis for Edward's threat of a fine is unknown.

<sup>1121</sup> D/H14/D2/2/1/936b/161, notes on Dodwell's case.

<sup>1122</sup> D/H14/D2/2/1/936b/131, letter from Dodwell to Henry.



unable to dedicate his life to his father's cause. Dodwell viewed this apparent unwillingness to help him 'bitterly' and felt neglected when 'I think what [Henry] might have done for me.'<sup>1123</sup> Dodwell believed that his children were obliged to help him and when they did not he seemingly felt abandoned and betrayed. Nevertheless, like some of the patients discussed in Chapter One, Dodwell took his role as a father seriously. He told Henry that he suffered 'bitter grief' because he could not 'keep you properly' and promised to send him a Post Office order so he would 'have a little extra such as an egg for lunch or some new milk or anything nourishing that you may fancy.'<sup>1124</sup> Providing for his children was something Dodwell was determined to do, but despite attempts to sell his Latin transcriptions in Broadmoor, he was destitute. This led to an unhappy role-reversal, whereby on one of his visits, Edward offered Dodwell half a crown. Dodwell refused to take it, declaring, 'I wish I had some to give you.'<sup>1125</sup>

In spite of his incarceration, Dodwell's relationship with his sons was similar to that of other Victorian boys and their fathers. On the one hand, the love between fathers and sons which is discussed in Chapter Four is evident in this case: 'you must know how dearly I love you all', Dodwell told Henry.<sup>1126</sup> On the other hand, the stereotypical strain that existed between fathers and their sons is also apparent. In his *Father and Son: A Tale of Two Temperaments* (1907) Edmund Gosse looked back at his strained relationship with his father during the nineteenth century.<sup>1127</sup> Gosse described how, upon making his own way in the world, the attitude of his father towards him deepened 'into disappointment and disenchantment,' and remembered how he 'was very fond of defining what was his

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<sup>1123</sup> D/H14/D2/2/1/936b/136, extracts from letters to Edward.

<sup>1124</sup> Letter from Dodwell to Henry.

<sup>1125</sup> D/H14/D2/2/1/936b/201, memorandum.

<sup>1126</sup> Letter from Dodwell to Henry.

<sup>1127</sup> Edmund Gosse, *Father and Son: A Tale of Two Temperaments* (London: William Heinemann, 1907).

own attitude at this time, and he was never tired of urging the same upon me.’<sup>1128</sup> This mirrored Dodwell’s relationship with Henry. Dodwell wrote to Henry at work, relayed his grievances and worries, and attempted to convince him to take employment elsewhere. Henry did not appreciate this: ‘I think I told you once before that there were no letters allowed in the stores, but within this last week I have received two notes, which I thank you for nearly getting me discharged’. He continued, ‘I don’t wish to receive any more worrying letters [...] neither am I going to be talked over by anyone to do what I do not wish to do’.<sup>1129</sup> Like Gosse, Henry was determined to live his life the way he wanted.

In their narratives of their own confinement, Herman Merivale and John Perceval both acknowledged weakness in their mental health.<sup>1130</sup> Dodwell never believed he was insane, but when he wrote to or about his children to others he sometimes acknowledged his failing health. The longer he was in Broadmoor the more Dodwell felt he had been ‘torn from my dear children’, something he blamed on Eliza.<sup>1131</sup> In 1885 Dodwell complained that he had not seen his daughters more than twice in seven years and in 1889 he told Henry, ‘I feel very sadly again this morning’ and ‘so unwell and deserted by

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<sup>1128</sup> Ibid., p. 143. In her autobiography of Edmund Gosse, Ann Thwaite attempts to complicate the story told in *Father in Son*. She writes that ‘Gosse described himself as a tainted source’; his memory failed him and he ‘changed things deliberately [...] to make a better story.’ In spite of this, the research Thwaite undertook does highlight the existence of a strained relationship between the two men: ‘The father’ Thwaite declares, ‘longed for the son to be everything he had himself desired to be’ and she concludes that his death gave Edmund ‘freedom at last from the need to justify [...] every divergence from the stern paths laid down for him in childhood’. *Edmund Gosse: A Literary Landscape, 1849-1928* (London: Secker and Warburg, 1984), pp. 3. 54. Also, pp. 59. 61-62. 70-71. 103. 317. In her autobiography of Edmund’s father, Philip Henry Gosse, Thwaite concedes that Henry was critical of his son and ‘harass[ed]’ him about his beliefs resulting in ‘years of conflict’. *Glimpses of the Wonderful: The Life of Philip Henry Gosse, 1810-1888* (London: Faber, 2002), p. 278.

<sup>1129</sup> D/H14/D2/2/1/936b/166, letter to Dodwell.

<sup>1130</sup> Merivale, *Experiences*, pp. 7. 9. 41. 62; John Perceval, *Perceval’s Narrative: A Patient’s Account of His Psychosis 1830-1832*, ed. by Gregory Bateson (London: The Hogarth Press, 1962), pp. 328-329.

<sup>1131</sup> D/H14/D2/2/1/936a/194, memorandum. The evidence suggests that Eliza did stop Dodwell’s daughters from writing to him and from receiving his letters. See, D/H14/D2/2/1/936b/195, letter from Eliza to Orange; D/H14/D2/2/1/936b/28, letter from Dottie to Dodwell.

all.’<sup>1132</sup> The letters Dodwell sent to another patient suggests that feelings of neglect exacerbated his ill-health:

Last Sunday Morning about 5oclock I was taken with another of those giddy attacks, which are brought on through great grief. I think that I did not become insensible but I am not sure. I lay in bed all day [...] I feel better today, but during the week I have been very queer; so giddy; obliged to hold the wall when I come down the stairs to prevent myself from falling down [...] I find that I am deceived and detested by all my children. It is an awful blow. I thought that the younger girl and my 2<sup>nd</sup> boy were faithful to me. I am very glad and cheered when I hear the flute. I have no one to talk with. I now get no letters, and it is useless to write any, as not one of my children will send an answer.<sup>1133</sup>

The language Dodwell used to describe his health is important. The extent to which he was familiar with medical conceptions of insanity is unknown, but his reference to the *Lancet* during his questioning at Bow Street suggests he was at least aware of debates during the 1870s. Alienists also made the association between domestic trouble and grief, both of which were moral causes of insanity and accounted for a significant number of admissions into asylums.<sup>1134</sup> A person suffering from grief was said by George Henry Savage to sink ‘into a condition of extreme weakness’ and by his own account Dodwell certainly did. Furthermore, domestic worry often ‘acts on the body and the mind; in some the body suffers chiefly, and the patient becomes melancholic, maniacal or weak-minded.’<sup>1135</sup> Dodwell’s own conception of his condition supported the views expressed in some medical treatises, where domestic trouble was a perceived cause of mania and giddiness a symptom of it.<sup>1136</sup> In Dodwell’s opinion, as his relationship with his family deteriorated so did his health: ‘My troubles are so bitter that I seem nearly ready to sink under them.’<sup>1137</sup> To Broadmoor’s Superintendent and medical officers, Dodwell’s mental

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<sup>1132</sup> D/H14/D2/2/1/936b/57, letter to an attendant; D/H14/D2/2/1/936c/10, letter to Henry.

<sup>1133</sup> D/H14/D2/2/1/936c/29, letter to another patient. In a number of letters to this patient, Dodwell described his ‘deceptive’ and ‘deceitful’ children, D/H14/D2/2/1/936c/23 -27.

<sup>1134</sup> John Charles Bucknill and Daniel Hack Tuke, *A Manual of Psychological Medicine, Containing the Lunacy Laws: The Nosology, Aetiology, Statistics, Description, Diagnosis, Pathology, and Treatment of Insanity, with an Appendix of Cases*, 3<sup>rd</sup> edn (London: J & A Churchill, 1879), pp. 92. 98.

<sup>1135</sup> George Henry Savage, *Insanity and Allied Neurosis: Practical and Clinical* (London: Cassell and Company, 1891), pp. 45-46.

<sup>1136</sup> Ibid; James Shaw, *Epitome of Mental Diseases* (London: Simpkin, Marshall and Co., 1892), p. 23.

<sup>1137</sup> D/H14/D2/2/1/936a/261, letter to an unknown correspondent.

health affected his character and thus his relationships, his suspicion about his family being a symptom of his weakness rather than a cause of it. Dodwell's case confirms what Porter shows; that one of the preoccupations of the insane in the eighteenth and nineteenth century was family tension.<sup>1138</sup> Indeed, like John Perceval, one of Porter's case studies, Dodwell believed his family had abandoned him in the asylum which, as Porter writes, negated all that a family was supposed to be.<sup>1139</sup>

Despite the suspicions he had about his children, Dodwell continued to write to them about his alleged ill treatment. In 1897 he told Henry:

I have suffered severely. I gained no sleep at all [...] from the severe pains of the spasms and from weakness combined [...] In vain I have represented my sufferings to the superintendent and the medical officer [...] Once I had a fainting fit and was unconscious [...] for about 20 minutes. I was then carried to my cell. Being icy cold I resisted my clothes being taken off, and [...] observe[d] that all was leaving my cell. I then said "surely you are not going to leave me. I entreat you to leave someone with me for a time" [...] The medical officer was deaf to my appeal and ordered me to be locked up alone.<sup>1140</sup>

It is shown in Chapter Two that the question of seclusion was a contentious topic for the Lunacy Commissioners who frowned upon its use. From Dodwell's point of view his seclusion was tantamount to abandonment. It is thus surprising that the Commissioners did not take his complaints seriously particularly considering their concern that seclusion led to neglect.<sup>1141</sup> Dodwell continually portrayed the medical officers as neglectful. In 1886 he complained that they had refused to treat his heartburn and in 1899 accused them of failing to provide him with suitable spectacles to correct his failing eyesight.<sup>1142</sup> His view of the Superintendent was just as scathing. He referred to Nicolson as an 'uncouth

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<sup>1138</sup> Porter, *Social History*, p. 167.

<sup>1139</sup> *Ibid.*, p. 188.

<sup>1140</sup> D/H14/D2/2/1/936c/149-50, letter from Dodwell to Henry.

<sup>1141</sup> Phil Fennell, *Treatment Without Consent: Law, Psychiatry and the Treatment of Mentally Disordered People Since 1845* (London and New York: Routledge, 1996), p. 19; Nancy Tomes, 'The Great Restraint Controversy: A Comparative Perspective on Anglo-American Psychiatry in the Nineteenth Century', in *The Anatomy of Madness* (1988), ed. by Bynum, Porter, and Shepherd, pp. 190-225 (p. 198).

<sup>1142</sup> D/H14/D2/2/1/936b/152 and D/H14/D2/2/1/936c/201, letters to the Superintendent.

Scotch man' and to Orange as a 'crafty [...] oily man' who had 'the feigned hollow voice of the untrustworthy.'<sup>1143</sup>

By the late 1890s, Dodwell's health and relationship with his family had both deteriorated. He wrote to one of his daughters, Sarah, on 13 June 1900. He agreed to see her only if she promised to go to the Bow Street Police Court and tell the presiding Magistrate 'that for 22 years I am detained in a lunatic asylum under a forged certificate and that I and my two boys are denied our constitutional rights of appealing to Her Majesty the Queen by word of mouth or writing.' He told her, 'if anything happens to me here, I desire that no relation or friend will follow me to the grave.'<sup>1144</sup> Under normal circumstances Brayn (Superintendent 1896-1910) would not have posted the letter because he believed it contained false information, but made an exception because he needed to inform Dodwell's family that he was 'seriously ill.'<sup>1145</sup> Sarah subsequently informed him that she and Eliza would visit on 17 June.<sup>1146</sup> Dodwell died on 15 June, his dying wish that no one would follow him to the grave thus fulfilled. Henry wrote to Brayn and expressed his shock at hearing of his father's 'release [...] from Broadmoor (not at the hands of his captors) but by death.' He also wrote of his sadness: 'I shall ever deeply regret my absence from his side at the last.' Happily for Henry though, Dodwell was laid to rest in Woking Cemetery, 'far from that place that has so cruelly held him for over 22 long years from those that loved him so dearly.'<sup>1147</sup> Until his death, the relationship between Dodwell and his family seemed irreparable, yet Henry's final letter to Brayn shows what Gosse described in the opening to his *Father and Son*:

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<sup>1143</sup> D/H14/D2/2/1/936a/20 and D/H14/D2/2/1/936a/32, letters to Bray.

<sup>1144</sup> D/H14/D2/2/1/936c/210, letter to Sarah.

<sup>1145</sup> Ibid.

<sup>1146</sup> D/H14/D2/2/1/936c/214, letter to Brayn.

<sup>1147</sup> D/H14/D2/2/1/936c/216, letter to Brayn.

There came a time when neither spoke the same language as the other, or encompassed the same hopes, or was tormented by the same desires. But, at last, it is some consolation to the survivor that neither, to the last hour, ceased to respect the other, or to regard him with a sad indulgence.<sup>1148</sup>

Indeed, after all that had passed between them, Henry was the only person Dodwell had expressed the desire to see before his death.<sup>1149</sup>

#### IV. Conclusion

Ten years after Dodwell died, Winslow published *Recollections of Forty Years* in which he reflected on Dodwell's case.<sup>1150</sup> He maintained that Dodwell had been sent to Broadmoor a sane man but used the attack on Orange as evidence that Dodwell's incarceration had driven him to insanity. This was not an opinion formed solely with the benefit of hindsight. The attack was motivated by Dodwell's fear he was to be detained until he 'became a real lunatic' [sic] and he wrote letters to people begging for help before this became the case.<sup>1151</sup> John Bray also expressed anger at Dodwell's case:

Mr Dodwell shot at Sir George Jessel with a pistol that had no bullet in it. He was tried as a felon and condemned as a Lunatic. When he gets into the asylum it is found that he is as sane as his keepers. An attempt is made to get him out, but Mr Cross won't listen to the appeals passionately made to him. Mr Dodwell has committed an offence. He cannot be tried again. He must be punished as he can be punished in no other way, keep him in the asylum. Still the Doctors are crying out to Mr Cross and not without reason. I can conceive no punishment in the world much more terrible than that of being confined in a Lunatic asylum. It is too horrible. It makes one shudder to think of it. The reality would make a very strong man mad. To make a man mad is in my thinking worse than to hang him [...] Yet Mr Cross is obdurate – The man must suffer even if to the loss of his reason.<sup>1152</sup>

The notion that confinement could drive a sane man mad was written about by Perceval who declared, 'I found that no patient could escape from his confinement in a truly sound state of mind', and by Merivale who remembered, 'For five fearful months I lived at [...]

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<sup>1148</sup> Gosse, *Father and Son*, p. 1.

<sup>1149</sup> D/H14/D2/2/1/936c/217, letter to Henry.

<sup>1150</sup> L. F. Winslow, *Recollections of Forty Years; Being an Account at First Hand of Some Famous Criminal Lunacy Cases, English and American; Together With Facsimile Letters, Notes, and Other Data Concerning Them* (London: John Ouseley, 1910), p. 126.

<sup>1151</sup> D/H14/D2/2/1/936a/261, letter to an unknown correspondent.

<sup>1152</sup> D/H14/D2/2/1/936a/73, copy of Bray's letter.

the asylum, the whole *morale* of heart and mind being more played upon and shattered every day.’<sup>1153</sup> Whether Dodwell was driven to insanity because of his incarceration or whether he was insane when he shot at Jessel we will never know. The evidence suggests the plausibility that Dodwell was driven to insanity; the medical reports and Dodwell’s letters suggest that there was a distinct change in his behaviour before and after he attacked Orange.

Whilst it is not possible to retrospectively diagnose Dodwell a number of things can be ascertained from his case. This chapter builds on Chapters Four and Five in that it shows how ideas about gender operated in a social, medical and legal context; something discussed in the conclusion to this thesis.

The versions of insanity discussed by the alienists who examined Dodwell did not always meet the McNaughton criteria: he knew the difference between right and wrong. This is, of course, hardly surprising given some of their views on the insanity law. Nonetheless, to the alienists who examined him, Dodwell’s insanity was rarely in doubt. It was, however, open to much discussion. The conflicting opinions of Winn and Winslow compared to those of Orange *et al* demonstrates that there was still some disagreement within the medical profession regarding insanity. Why alienists disagreed is an important question. In this case, it may be that they had different convictions about the role of the state in enforcing interpretations of insanity; something that also happened in Frederick Marshall’s case, as discussed in Chapter Five. In comparison to Orange and Nicolson who, although somewhat disgruntled by the Home Secretary’s constant requests to examine Dodwell were happy with the decision to keep him incarcerated, Winslow and Winn appear to have taken issue with the Home Office’s intervention into Dodwell’s case. Moreover, the evidence suggests that Orange, Nicolson, Gover, Grange, Blandford

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<sup>1153</sup> Perceval, *Narrative*, p. 125; Merivale, *Experiences*, pp. 44-45.

and Maudsley agreed on the nature and symptoms of insanity. There was conflict regarding how to interpret Dodwell's grievances. Winn and Winslow did not believe that Dodwell's complaints were delusions. Rather, he was a rational man driven by 'desperation'. On the other hand, Orange *et al* believed Dodwell was deluded on a number of issues and, in contrast to the opinion expressed by Winn and Winslow, believed that this was the result of an hereditary taint.

The evidence suggests that a combination of medical and non-medical arguments and interventions were used to keep a patient detained. Dodwell was committed into Broadmoor without medical evidence and once there a number of non-medical reasons were used to deny him liberation: his relationship with his wife, his unindustrial nature and his inability to function as a proper man. Broadmoor was thus a curious institution. Although run by alienists, Dodwell's case suggests that medicine could be marginal to what was going on. In the place of medical reasoning sometimes stood political, social and moral arguments to keep a patient detained. This is not entirely surprising. In 1878, Nicolson wrote 'that when the question of responsibility in criminal cases arises, it is not merely a legal question, and not merely a medical question, but essentially a *social* one' and what needs to be considered are the 'interests of society generally.'<sup>1154</sup> This view is evident from an examination of the records preceding Dodwell's attack on Orange when he was considered a potential nuisance to society: he could not maintain employment and had selfishly abandoned his family. An examination of medical reports and political interventions highlights the complex network of power and knowledge that Dodwell found himself caught in the middle of. It is clear how hard it was for some patients to be liberated once admitted into Broadmoor even when questions about their alleged insanity

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<sup>1154</sup> David Nicolson, 'The Measure of Individual and Social Responsibility in Criminal Cases', *Journal of Mental Science*, 24 (July 1878), 249-273 (p. 250).



were raised: as Herman Merivale wrote of the lunacy laws, ‘once in their grasp it is a hard matter to get out.’<sup>1155</sup>

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<sup>1155</sup> Merivale, *Experiences*, p. 13.

## Conclusion

In 1913, former Broadmoor Superintendent, David Nicolson, now Lord Chancellor's Visitor in Lunacy, delivered 'An Address on Mind and Motive: Some Notes of Criminal Lunacy' before the Section of Forensic Medicine of the Seventeenth International Congress of Medicine. He told them:

There is no royal road to a knowledge of criminal lunacy. This hydra-headed conjunction of crime and insanity forces itself upon our acquaintance through miserable lives and surroundings, through wretched and disordered phases of mind, through noxious records of jealousy and drink, and of sexual and savage passions, and through manifold experiences taught in reformatories, prisons, and asylums.<sup>1156</sup>

Through a detailed study of the men who were sent to Victorian Broadmoor, this thesis has highlighted the various ways men could be committed into the asylum; the myriad crimes that were committed, from murder to duck theft, the various inquest and trial outcomes, from no verdict to an insanity verdict, and the differing experiences of convicts who allegedly developed insanity whilst imprisoned. An examination of the trial proceedings of men found insane and committed to the asylum and the evidence of Prison Medical Officers (PMO) highlights the sometimes contradictory opinions that led to a man being branded criminally insane. Moreover, an analysis of the publications and Addresses of Broadmoor's four Superintendents (1863 – 1900) as well as the medical writings of other alienists, highlights differing opinions on the nature of crime and insanity. There was thus no singular definition of a criminal lunatic. Additionally, an examination of the Broadmoor records suggests that there was no one way to successfully treat and restore patients into the men they (sometimes) once were; the conflicting temperaments of patients and their various behavioural traits, meant that treating criminal

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<sup>1156</sup> David Nicolson, 'An Address on Mind and Motive: Some Notes on Criminal Lunacy', *BMJ*, 13 September 1913, 641-645 (p. 641).

lunatics alike was often a fraught and difficult task. Nicolson's striking image of the hydra was thus an apt one for criminal lunacy.

In this thesis I have used contextualised studies of some of the men committed to Victorian Broadmoor in order to contribute to the historiographies of a number of different fields: nineteenth-century masculinities, crime, law, asylums and the experiences of the insane.

One of the most interesting things to emerge from an examination of the Broadmoor cases was a realisation of the extent to which notions of manliness were entrenched within Victorian society. The cases of men committed into Broadmoor came to be a valuable and unusual source for understanding Victorian ideas about manliness, a concept more frequently studied through the writings of preachers, schoolmasters and novelists. Take the case of Henry Dodwell, for example. Ideas about the appropriate roles for men and women are seen throughout Dodwell's case, in which terms such as 'ruined man', 'bad man' and 'real man' feature. The self-control possessed by Dodwell's victim, Sir George Jessel, was juxtaposed in press reports with Dodwell's alleged impulsive, homicidal and thus insane nature. At Bow Street police court and his trial, Dodwell's emotional, impatient and desperate displays were used to portray him as both unmanly and insane. At Broadmoor, Dodwell's dedication to his work and family was continually questioned and used to deny him his liberty. He was presumed unmanly by William Orange and David Nicolson, as well as by alienists Henry Maudsley, R. M. Gover and W. Grange, all of whom regarded him as irrational, selfish and dangerous; a man ill-equipped to be a member of a civilised community. Such evaluations differed from those of L. F. Winslow and J. M. Winn who depicted Dodwell as rational and calm; a man fit to be at large. Gender ideals were so entrenched in society that Dodwell entertained strong ideas

about the appropriate behaviour of ‘real’ men and women. He demarcated real men (himself and his ‘rational and respectable’ fellow Queen’s pleasure patients) from those he considered uncivilised, cunning and untrustworthy, including, on the one hand, the insane convicts, and on the other, Superintendents Orange and Nicolson. To Dodwell, domesticity meant not just a happy marriage (the absence of which seemingly aggravated him) but also duty to one’s children, thus endorsing the roles of husband and father, as was discussed in Chapters One and Four. Despite his alleged lunacy and, on account of having left his family destitute, his status as a pauper lunatic, Dodwell’s perceptions of ideal behaviour, which revolved around domesticity, marriage and sexual morality, were similar to broader middle-class social, religious, medical and legal perceptions of suitable conduct.

An examination of the crimes, trials and incarceration of men committed to Broadmoor has brought to the fore various ideas about manliness. How a man viewed himself was sometimes connected to the development of his insanity and to his crime. Trial transcripts and asylum records highlight various reasons how men became criminal lunatics. Nicolson told his audience that cases of criminal lunacy were brought to his attention ‘through noxious records of jealousy and drink, and of sexual and savage passions’ and this certainly appears to have been the case whilst he was at Broadmoor. Many of the defendants’ examined in this thesis were presumed to have been driven to madness through strong emotions and passions including grief, fear and jealousy, and others through their intemperance. In a number of other cases a man’s insanity was related in the press and the courtroom, and in his own account, to his role as a husband and father. Insane paternal child-murderers were depicted as buckling under pressure to care for, protect and provide for their families, their crime a selfless act carried out in a state of depression, a last resort for men who were perceived to have or had actually

failed as fathers. In Chapter Five, it is suggested that men sometimes struggled to adapt to changing attitudes towards marriage and the treatment of women, thus leading to their alleged jealousy and to their crimes, and Dodwell reportedly committed assault after becoming a 'ruined man'.<sup>1157</sup> Thus, as Nicolson said, 'miserable lives and surroundings' were also responsible for the creation of criminal lunatics.

The evidence is also a surprising source of support for John Tosh's assertion that 'The domestic sphere [...] is integral to masculinity. To establish a home, to protect it, to provide for it, to control it, and to train its young aspirants to manhood, have usually been essential to a man's good standing with his peers.'<sup>1158</sup> Tosh was writing about the middle-class home but the evidence suggests this was the case for a number of men committed to Broadmoor regardless of class. It is suggested that some patients' sense of identity was so rooted in providing for and guiding their children that they tried to continue to do so following their committal to Broadmoor, and lamented when they could not. Tosh suggests that 'masculine self-respect certainly demanded that a man provide for his family, and great shame was attached to one who "failed."' <sup>1159</sup> In addition to lending support to this conclusion (Dodwell's declaration to his son that he wished he had some money to give him, for example), the evidence suggests that working-class men also valued being able to provide for their families, both inside and outside Broadmoor. For instance, the poverty-stricken Richard Oakes seemingly felt that he had no choice but to murder his 'darling lamb Arty', and Isaac Finch would not write to his family from Broadmoor unless he had some money to send them.<sup>1160</sup> Providing for one's family

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<sup>1157</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 29 October 2012), March 1878, trial of Henry John Dodwell (52) (t18780311-365).

<sup>1158</sup> John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven and London: Yale University Press), p. 4.

<sup>1159</sup> *Ibid.*, p. 14.

<sup>1160</sup> *OBPO* (30 September 2012), July 1890, trial of Richard Arthur Oakes (59) Amy Oakes (46) (t18900728-587); D/H14/D2/2/1/659/4, letter to Nicolson.

was so important that Broadmoor's medical officers and Superintendent generally considered a willingness to do so positively when recommending a patient's discharge. Even the working-class attendants were encouraged to save money for their families through the establishment of a savings scheme. An examination of the Broadmoor records thus not only contributes to present understandings of the presumed causes of male insanity and crime, but it adds to increasing studies of men in working-class family life.

Ideas about manliness are also observable in discussions of different types of criminal and criminal acts. Paternal child-murderers were depicted and treated differently to convicted and childless child-murderers. Particular distinctions can also be seen in comparisons between the depictions of men who committed a crime whilst insane and habitual criminals. The former were generally sympathised with and were depicted as irresponsible, whereas the latter were represented as lazy, aggressive and degenerate. Inside and outside Broadmoor, views of insane convicts were particularly damning. PMOs, the press, judges and juries, as well as Broadmoor's Superintendents, attendants and medical officers, and some Queen's pleasure patients, all viewed the insane convict with disdain: they were reportedly morally corrupt, disruptive, dirty and contagious. These views were in stark contrast to the sympathetic approach sometimes taken towards Queen's pleasure patients. Patients of both classes were thus deemed unmanly but in conflicting ways. Queen's pleasure patients might, for example, be emasculated by their well intentioned but failed attempts to provide for their families and to protect their children, while convicts were represented as idle savages with no redeeming features. Both classes of patient were held up as examples of manhood gone wrong: i.e. the strong passions of their male minds had become disordered and uncontrolled. In his Presidential Address to the Medico-Psychological Association in 1895, Nicolson highlighted the

emotions behind criminal acts: acquisitiveness, malice and lust.<sup>1161</sup> At Broadmoor, these emotions were sometimes depicted as being the cause of insanity and crime. Sweetheart-murderer Frederick Marshall was depicted by Nicolson as a man ruled by untamed appetites and passions, and William Orange ascribed non-paternal child-murderer Hugh Hagan's insanity to 'intense hatred.'<sup>1162</sup> Richard Brayn used insane convict Abraham Thompson's alleged hatred and obsession towards his wife to have him declared insane and transferred to an asylum to avoid discharging him when his prison sentence expired.<sup>1163</sup>

An examination of the cases of men committed to Broadmoor suggests the role judges, juries and the press had in enforcing and supporting a particular male identity. The research undertaken for this thesis lends support to crime historians who have argued that the 'gendered discourse that existed outside the courtroom [...] impacted upon its proceedings.'<sup>1164</sup> The trials and verdicts discussed in Chapters Four, Five and Six indicate the widespread support and enforcement of a specific model of manliness in the Victorian period. Both working and middle-class men were expected, and expected themselves, to be temperate, industrious and committed fathers; these notions were also endorsed by journalists, men of science, alienists, authors of fiction and Broadmoor's medical officers and Superintendents. What is more, it is shown in Chapter Five that judges and juries had a role in condemning and punishing men who subscribed to notions of the possession of women and who were jealous and abusive towards their wives. As notions about appropriate male behaviour changed so too did ideas about violence, and the verbal or physical abuse of unfaithful wives (or sweethearts) was vilified in fiction, social

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<sup>1161</sup> David Nicolson, 'Presidential Address Delivered at the Fifty-Fourth Annual Meeting of the Medico-Psychological Association, Held in London, 25<sup>th</sup> and 26<sup>th</sup> July, 1895', *Journal of Mental Science*, 41 (October 1895), 567-591 (pp. 574-575).

<sup>1162</sup> D/H14/D2/2/1/1239/38, medical report; D/H14/D2/2/1/779/4, Schedule A.

<sup>1163</sup> D/H14/D2/2/1/1699, letter to Hull Asylum.

<sup>1164</sup> Meg Arnot and C. Usborne, *Gender and Crime in Modern Europe* (London: UCL Press, 1999), p. 15.

commentary and in the courtroom. As a result, defence counsels seemingly had to turn a blind eye to a defendant's alleged jealousy and look elsewhere for evidence of insanity in order to gain an insanity verdict. One of the areas in which there is room for further research is on the visibility of the term 'jealousy' and its relationship to insanity in the English courtroom. Preliminary research suggests the possibility that jealousy was more likely to be mentioned as a cause or symptom of insanity towards and beyond the end of the 1870s. A search of OBPO suggests that between 1864 and 1885 there were no trials for murder in which 'jealousy' was recorded anywhere in the proceedings in which insanity was the verdict. Between 1864 and 1900, jealousy appeared in the proceedings of just nineteen men who were tried for murder; twelve of these cases took place in the 1880s and 1890s. It may be that developments outside the courtroom, namely the increased discussion of jealousy as both a cause and symptom of insanity in medical literature from the late 1870s, increased lawyers' confidence that claims of jealous insanity could be supported by medical evidence in court and thus lead to a reduced sentence or an insanity verdict. The medicalisation of intemperance had the same effect in the 1870s when it was successfully used for the first time as an insanity defence.<sup>1165</sup>

The cases examined for this thesis provide new evidence of the uneven application of the M'Naughton Rules. In some cases men were seemingly aware of what they had done, as is demonstrated in the cases of paternal child-murderers, jealous wife murderers, and in the case of Henry Dodwell. What is more, it is shown in Chapter Three that Broadmoor's Superintendents and the Home Office sometimes expressed their surprise that insane convicts had not been found insane when tried. In such cases, a number of factors appear to have had a bearing on a verdict: beliefs about premeditation; opinions about specific crimes, such as rape; a lack of medical evidence; and limited time between

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<sup>1165</sup> Martin Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2006), p. 279



the commission of a crime and a trial. Joel Eigen writes that in the post-McNaughton years there was a departure from the blind acceptance of lay evidence and the tendency for alienists to focus on the legal question of defendants' insanity.<sup>1166</sup> Whilst Chapters Four and Five lend some support to this conclusion, Henry Dodwell's case shows that lay evidence was still accepted as proof of insanity.

In many ways, Broadmoor operated like any county asylum. Its patients were segregated according to sex and were treated through a combination of religious influences, secular teaching, occupational therapy and exposure to various amusements and leisure activities. In addition, an examination of the discharge patterns and class make-up of Broadmoor's patients highlights that like ordinary county asylums, Broadmoor had both a policing and a reformatory role; it housed 'an antithetical mix of social undesirables on the one hand and respectable workers on the other.'<sup>1167</sup>

Broadmoor's patients were, however, assumed to be different from those in county asylums. As a result of their special status as criminal lunatics they were reportedly difficult to treat and to manage, something particularly true of insane convicts. Despite the difficulty encountered implementing moral treatment at Broadmoor, an examination of the Broadmoor archive and Home Office records suggests that it was enforced at the asylum long after historians have previously suggested it had abated. During the 1870s and 1880s, when county asylums were reportedly full and when ideas of incurability and pessimism gained pre-eminence amongst alienists, Broadmoor's Superintendents, John Meyer, William Orange and, to a lesser extent, David Nicolson,

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<sup>1166</sup> Joel Eigen, 'Lesion of the Will: Medical Resolve and Criminal Responsibility in Victorian Insanity Trials', *Law & Society Review*, 33:2 (1999), 425-459 (p. 457).

<sup>1167</sup> Jonathan Andrews and Anne Digby, 'Introduction: Gender and Class in the Historiography of British and Irish Psychiatry', in *Sex and Seclusion, Class and Custody: Perspectives on Gender and Class in the History of British and Irish Psychiatry*, ed. by Jonathan Andrews and Anne Digby (New York: Rodopi, 2004), pp. 7-44 (p. 17).

still promoted the belief that Broadmoor was a curative institution, as well as the importance of treating the insane with patience and kindness. It was not until thirty years after historians have suggested pessimism set in that Broadmoor was affected, a change observable in the reports of Superintendent Richard Brayn. It is interesting, however, that even in the face of overcrowding and Brayn's seemingly new ethos of control and imprisonment, that the Council of Supervision still sought to enforce moral treatment at Broadmoor; this may have been, as suggested in Chapter Two, the result of Orange's influence on the Council.

An examination of the Addresses and publications of Broadmoor's staff, alongside other medical literature, shows the extent to which they were involved in medical debates, and also the extent to which broader medical (as well as social) ideas permeated Broadmoor's walls. In Chapter Four, the examination of intemperance highlights the interaction Broadmoor's medical officers had with the wider medical community. Moreover, the social and medical importance placed upon temperance was demonstrated by the insistence patients took 'The Pledge' and the requirement that a patient's assigned guardian accepted an added Drink Clause to the conditions of discharge. In addition, representations of criminal men in medical, scientific and legal discourse, as well as in novels and the press, clearly demarcated them from 'ordinary' men, a distinction mirrored at Broadmoor. Furthermore, Orange, and in particular Nicolson, were deeply involved in debates on the causes of crime and the criminal, and their beliefs were not only shared by other medical authorities but impacted their treatment of convicts at Broadmoor. Ideas about jealousy were not shared by Broadmoor's staff. Instead, the passion appears to have been bypassed by the asylum's Superintendents and medical officers even when it was explicitly referred to by another agent: journalist, PMO or patient. It appears that jealousy may have been recast to

provide a scientific explanation for the cause of insanity, thereby distinguishing medical theories from popular ideas that were found in fiction, newspapers and periodicals. Had they been available, an examination of case books to supplement the medical reports may have added support to the suggestion that jealousy was not referred to by Broadmoor's medical officers or Superintendents. Moreover, the general consideration of the treatment of criminal lunatics in Broadmoor in all of the chapters may have been taken further had the case books been available.

The relationship between Broadmoor as an institution and as an architectural space has also been revealed by this examination of the records. By the late 1880s, the asylum's Block system appears to have reflected broader beliefs about social class, as evidenced by the occupation of Block 2 solely by educated men, and by the construction of a special block for insane convicts, many of whom were considered to be members of the so-called social residuum. It might also be suggested that Broadmoor's architecture and the categorisation of patients helped shape ideas about manliness in the asylum. Patients lived in whichever Block was believed to best represent their character: Block 1 (the Strong Block) was for dangerous and cunning Queen's pleasure patients; Block 2 was for the educated and 'gentlemen'; and the convict Block was primarily inhabited by habitual criminals who were presumed by some to have actively refused to 'prove' themselves as men by not going to work or providing for their families in a way that was deemed acceptable. Which Block patients were housed in impacted patients' views of one another and sometimes caused friction. An examination of patients' letters suggests that some (who considered themselves to be 'rational and respectable men') were indignant that they had to share accommodation with convicts, rapists and alleged sodomites, and others were horrified to find that their fellow patients were not 'gentlemen'. The Block system also affected press representations of life in Broadmoor as well as the views of

some patients' friends and families. *The Times* and *Penny Illustrated* depicted patients in the Strong Block as morally corrupt, physically degenerate and dangerous, and Henry Dodwell's brother asked Nicolson to transfer Dodwell out of the Strong Block back into Block 2 as he viewed the former in terms of punishment; it was not the place for an educated man.

More significant, however, is the relationship between space and the treatment of insanity. We have seen that moral architecture and the importance of environment were both promoted by Broadmoor's staff and the Lunacy Commissioners who complained when Broadmoor was too prison-like. It was assumed that a spacious and cheerful asylum with a vast country setting would benefit the minds of criminal lunatics, a view also held by those involved in the treatment of normal asylum patients. It was not plain sailing, however. There were numerous deficiencies in Broadmoor's building-work, and it is surprising given the concerns that were expressed pre-Broadmoor in arguments supporting the construction of a separate criminal asylum regarding the classification and separation of criminals and the insane, that more effort was not initially put into providing separate accommodation for different classes of lunatic. The changing shape of Broadmoor between 1863 and 1900 reflected the changing views of Broadmoor's Superintendents and the gradual realisation that criminal lunatics could not be treated the same as ordinary lunatics. There had initially been more dormitories than single rooms, but increasing fears over the association of the quiet and the rowdy patients and the realisation that criminal lunatics could not be treated alike meant that by the time Brayn became Superintendent the situation had reversed. More significantly, different ideas about the nature and treatment of Queen's pleasure patients and insane convicts meant that theoretical ideas regarding the differences between the two classes were mapped onto the asylum.

The examination of the Broadmoor archive highlights the asylum's gradual evolution from a reformatory institution into a more prison-like establishment. It became stricter and more pessimistic views were gradually taken towards criminal lunatics as the years passed by, and following Brayn's arrival Meyer's initial view that Broadmoor's patients were, and should be treated like, ordinary asylum patients disappeared. As the treatment of criminal lunatics changed so too, it seems, did patients' experiences in the asylum. The records highlight the models of male relationship that were available between patients and staff at Broadmoor and how these appear to have changed over time from a friendly and familial bond to modes of relating that were more medicalised and also more authoritarian. The relative absence of letters praising Brayn and thanking him for his friendship and care in comparison to those received by Orange and Nicolson suggests that patients did not consider him to be father or a friend. This may be indicative of changing attitudes towards friendships and relationships between men in society generally, as suggested in Chapter Two. It may also suggest, however, that as Broadmoor's patient numbers increased in the late nineteenth and early twentieth century, the Superintendent had fewer opportunities to get to know each patient.

The unusually rich nature of the Broadmoor archive has made it possible to uncover the voices of the criminally insane, thus adding a different strand to current studies on life in Victorian asylums. Patients' letters demonstrate what life in Broadmoor was like for two very different classes of patient, offering a perspective of asylum life that is not usually granted to historians. It is clear that the experience of Broadmoor's male patients was not uniform: some enjoyed their time in Broadmoor, made friends, and for various reasons did not always wish to leave. Other patients viewed their committal in terms of imprisonment, and believed they were being persecuted by the asylum's staff, and were illegally confined. On the other hand, there were shared experiences. Patients of

both classes were suspicious and resentful towards the attendants and criticised the behaviour of their fellow patients. Some patients appear to have bonded together out of a sense of loneliness. How patients considered their time at Broadmoor was based upon a number of factors: the relationships maintained inside and outside the asylum; perceptions of appropriate behaviour (which were sometimes linked to manliness); and class, including conflict between Queen's pleasure patients and insane convicts, as well as feelings of animosity between paupers and gentlemen.

Patients' letters were examined to ascertain how they viewed Broadmoor, as well as to gauge some sense of how they understood their position and the extent to which they maintained contact with friends and families. For most patients, writing about their grievances or happiness appears to have been simply a means of communicating with the outside world. For patients such as Henry Dodwell, however, writing down their own stories, as Roy Porter writes, 'formed their one way of maintaining their identity or indeed fighting back, at least in their mind.'<sup>1168</sup> It has been shown in Chapters Two and Six particularly, that once admitted to Broadmoor, some patients found it very difficult to be granted freedom even when questions about their insanity were raised. Thus relaying their complaints to an audience was one of the few ways patients could exercise agency. Even then, however, their power was somewhat limited through the censorship of the Superintendent. There were other ways patients could attempt to exercise agency: consciously modifying their behaviour in the hope of gaining a discharge, for example as in the cases of Henry Seyman and Robert Hallowell who knew that being industrious, calm and temperate were viewed as positive and 'sane' traits; and petitioning for their own discharge, as in the case of Richard Oakes. The notion that insane patients had agency may appear to be contradictory: how can anyone who is not only insane,

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<sup>1168</sup> Roy Porter, *A Social History of Madness: Stories of the Insane* (London: Phoenix, 1999), p. 231.

according to the medico-legal understandings of their condition, but also incarcerated in an asylum, possess any kind of freedom, of the will, of action, or of expression? Whilst there were patients in Broadmoor who, according to medical testimony, were totally insane, there were also two other types of patient: those who were only partially mad and those who were sane but refused discharge because they did not have any one willing or able to care for them, or because their crime was so heinous the authorities were waiting for a period of time to pass before they sanctioned their discharge. The latter had greater potential to exercise agency, but this does not mean that they all did so, or that they were all successful when attempting to do so. Broadmoor's patients were undoubtedly operating within severe mental and physical restraints, but in maintaining relationships with patients and staff and with the outside world, at least through correspondence, they were able to exercise a highly circumscribed but nonetheless real form of agency.

This thesis has sought to demonstrate that the case-study approach can bring to life several aspects of the life of asylum patients, often over several years, in a way other approaches, such as statistical analysis, cannot. Moreover, in conjunction with the asylum records, the inclusion of wider medical, legal and social ideas about crime and insanity, as well as broader beliefs about fatherhood, jealousy, morality and other facets of manliness as explored in popular literature, this thesis provides a more complete picture of the causes of male madness and crime as well as the treatment and experiences of men in asylums than has previously been available. What is more, it has shown how Victorian ideas regarding normal male behaviour were expressed and negotiated within a distinctly abnormal setting: the criminal lunatic asylum.

I have outlined a number of contributions this thesis has made to current scholarship, but I would like to draw explicit attention to five key points of originality

here. First, through an examination of never-before-seen asylum records, this thesis examines evidence of the lives of patients and staff within Broadmoor, focussing especially on two groups of male patients. Patients' letters are a rare source of first-person writing about life in the asylum and give us a new body of evidence when trying to reconstruct the world of the criminal lunatic. These are important contributions to the histories of asylums and crime. Moreover, the availability of the Broadmoor records has enabled me to take the original approach of tracing individuals' journeys from the time they committed their crimes, through their trials, their incarcerations and beyond. Doing this has allowed comparisons to be made between medical, legal and popular views of crime, insanity, manliness and asylums. It has also allowed me to build upon the work of crime and gender historians who have previously only examined the crimes and trials of criminal lunatics. The second contribution of thesis is also to the history of asylums. An examination of treatment at Broadmoor indicates that moral treatment persisted in British asylums longer than historians have previously suggested was the case. It shows that psychiatric pessimism did not take hold at Broadmoor until the very end of the nineteenth century; thirty years later than suggested. The third contribution of this thesis is to histories of gender, crime and law. Chapter Four's examination of male child-murderers questions two previous assumptions of the literature on infanticide: first, the idea that it was only women who were thought to be going against nature if they killed their child; and second, the idea that it was only women who regularly successfully pleaded insanity in such cases. The fourth contribution of this thesis is Chapter Five's examination of representations of jealousy in popular, medical and legal literature. There are no detailed studies of the passion in Britain, and none that compare discussions of jealousy in different discourses. Finally, the research undertaken for the thesis contributes to the histories of masculinity and the family. An examination of patients' letters, popular



literature, social commentary, courtroom testimony and press reports, has enabled not only an examination of cultural and social constructions of masculinity, but also subjective male identities. These identities belong to both middle and working-class men, but it is those of the latter which will have the most impact upon scholarship, for evidence of affectionate and engaged working-class fathers and husbands is scarce. Indeed, the Broadmoor records contain hundreds of letters to and from patients and their relatives which hold the promise of being of great value to family and gender historians in the future.

When researching and writing about chilling and emotional literature such as that examined in this thesis, historians rarely discuss the question of their own emotional investment or detachment, but this is something I would like to discuss briefly here. Michael Roper, in an interesting chapter on historians' engagement with the past and psychoanalysis, writes that most historians 'do not [...] have a direct relationship with the subjects of their research, but when reading personal communication such as a letter or a memoir, we must inevitably place ourselves in some way within the circle of our subject's relationships with others.'<sup>1169</sup> Indeed, when reading the letters of Henry Dodwell I felt some compassion towards his wife, who received such scathing letters, and his children, who appeared sometimes to struggle with the topsy-turvy relationship they had with their father. I also found myself wondering how Dodwell's family might have felt when they received his most passionate letters, and about Dodwell himself. Why did he relay these complaints so passionately to his children? How did he *really* feel, when alone at night in his cell, about the relationship he had with his family? These are just some of the questions I asked myself. Yet, I endeavoured not to get so invested in Dodwell's case that it influenced my historical analysis of it, and I tried to present his

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<sup>1169</sup> Michael Roper, 'Psychoanalysis and the Making of History', in *The SAGE Handbook of Historical Theory*, ed. by Nancy Partner and Sarah Foot (London: SAGE, 2013), pp. 311-325 (p. 314).

case primarily from the point of view of the individuals involved as they represented it, and not as I interpreted it.

Establishing the right balance between description and analysis was initially challenging. Like Roper in his examination of soldiers' letters, I 'felt an obligation' to give my subjects a voice.<sup>1170</sup> This was in part because I wished to provide some of them with the audience they lacked at the time, either because their letters were never sent or responded to. In addition and more importantly, given my privileged access to these records I felt some responsibility to record the experiences of these men, as they and others represented them, in a way that has never been done before in an effort to reduce some of the stigma and fear levelled towards criminal lunatics. This was for two reasons. First, because I wanted to show that some of the men committed to Broadmoor were no different to men who were not marginalised; they shared the same worries and concerns about their families and homes. Second, I found myself empathising with some aspects of their lives; in particular poverty, fear, shame and insanity.

Roper believes historians do not possess the ability to be completely impartial.<sup>1171</sup> This may be true, but whether I was empathetic, outraged, disgusted or emotionally detached, when it came to writing about the cases I always endeavoured to remain neutral by making the conscious effort to represent the Victorians as they represented themselves and others, and to contextualise the cases with contemporary literature as well as existing histories on nineteenth-century crime, gender, and insanity, to lay out Victorian attitudes and not my own.

Since October 2009 there have been a number of well-publicised trials which echo some of the Victorian cases examined in this thesis. This is particularly true in cases of

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<sup>1170</sup> Ibid., p. 316.

<sup>1171</sup> Ibid.

child-murder, where twenty-first century legal, medical and journalistic views of men convicted and acquitted of the crime are more similar to those expressed in the nineteenth-century than may have been supposed. In April 2013, Mick Philpott was convicted alongside his wife of the manslaughter of six of his children. According to press reports and the prosecution, Philpott's motive was revenge. He was represented as a deceitful and dangerous work-shy man who possessed 'no moral compass', and was described by his friends as a controlling and 'feckless father.'<sup>1172</sup> According to the judge, Philpott 'was the driving force' behind the crime and as a result he received life imprisonment. His wife, however, was sentenced to seventeen-year's imprisonment.<sup>1173</sup> Press representations of Philpott and his wife are similar to those of Victorian child-murderers James Dilley and his mistress, Mary Rainbow; a couple who reportedly murdered their child out of deceit but following which only Dilley was executed as he was considered to have coerced Rainbow into committing the crime.

More strikingly similar, however, are representations of men acquitted of child murder. In May 2011 a father was acquitted for the murder of his six-month-old daughter after the jury accepted he had been suffering from male post-natal depression (PND). According to the prosecution and the defendant himself, he was 'struggling with fatherhood' and could 'not face life as a father.'<sup>1174</sup> Until recently, male PND had gone unrecognised, but research undertaken by the Medical Research Council now suggests

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<sup>1172</sup> <http://www.telegraph.co.uk/news/uknews/crime/9971043/Philpott-fire-child-killer-Mick-jailed-for-life.html> [accessed 15 April 2013]; <http://www.dailymail.co.uk/news/article-2308920/Child-killer-Mick-Philpott-quits-prison-mopping-job-35-minutes-hes-targeted-fellow-inmates.html> [accessed 15 April 2013]; <http://www.telegraph.co.uk/news/uknews/law-and-order/9968401/Mick-Philpotts-best-friend-he-deceived-and-controlled-us-all.html> [accessed 15 April 2013]. The press were obsessed with his lifestyle, <http://www.telegraph.co.uk/news/uknews/crime/9967254/Derby-fire-Sex-obsessed-Philpott-lived-tawdry-lifestyle.html> [accessed 15 April 2013]; <http://www.telegraph.co.uk/news/uknews/crime/9969181/Mick-Philpott-faced-road-rage-charge-for-punching-motorist.html> [accessed 15 April 2013].

<sup>1173</sup> <http://www.telegraph.co.uk/news/uknews/crime/9971043/Philpott-fire-child-killer-Mick-jailed-for-life.html>.

<sup>1174</sup> 'Cleared: Father Accused of Smothering His Baby as He Suffered Post Natal Depression', <http://www.dailymail.co.uk/news/article-1390463/Mark-Bruton-Young-acquitted-murdering-baby-suffered-post-natal-depression.html>, [accessed 13 June 2011].

that following the birth of their child, some men find it difficult to juggle their work and home commitments; stay-at-home fathers struggle with the emasculating impact looking after a child is perceived to have, and fathers worry about financially providing for their families.<sup>1175</sup> Sociologist Dr Ellie Lee has attributed depression in fathers to ‘modern’ strains and says, ‘It is no longer good enough to just be the bread-winner. They have to be engaged and involved’. In addition, expectant fathers are ‘expected to abstain from alcohol’ during and after their wives’ pregnancy.<sup>1176</sup>

The research undertaken for Chapter Four of this thesis suggests that the struggles fathers face today are not products of the twenty-first century. Throughout the nineteenth century, it became increasingly expected that fathers would take an active role in their child’s life, abstain from alcohol and would care and provide for their child. The latter was a notion embedded within the scientific theories of men such as Henry Drummond and Alexander Bain who observed that fathers were not only sensitive and loving, but fiercely sought to protect and provide for their children. During their trials, paternal child-murderers were depicted in newspapers as remorseful, withered wrecks. Their overtly emotional behaviour, coupled with the alleged cause of the crime, meant that they were treated sympathetically in the courtroom; the very fact they killed their own child, whom they were supposed to care for and protect, was considered proof of their insanity. Thus, instead of receiving the death sentence they were sometimes found not guilty on the grounds of insanity and committed to Broadmoor where a number of them were treated and discharged. Unlike his nineteenth-century counterparts, our twenty-first century father was not institutionalised but was free to go home with his wife.

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<sup>1175</sup> <http://www.fatherhoodinstitute.org/2005/post-natal-depression-in-in-fathers-a-case-study> [accessed 13 June 2011]. See also, ‘How FATHERS Can get Post-Natal Depression: One Man’s Harrowing Testimony’, <http://www.dailymail.co.uk/health/article-1184290/How-FATHERS-post-natal-depression-One-mans-harrowing-testimony.html> [accessed 13 June 2011].

<sup>1176</sup> ‘Post Natal Depression in Fathers Often Undiagnosed’, <http://news.bbc.co.uk/1/hi/health/8687189.stm> [accessed 13 June 2011].

Since the second half of the nineteenth century it appears that some fathers have struggled with the pressures placed upon them. Today, male PND is the term used to describe previously out-going, caring men who have suffered immense emotional strain following the birth of their child, and child murder has become one, very rare, symptom of this condition just as female infanticide was a symptom of puerperal insanity in the nineteenth century. What is more, twenty-first century headlines such as ‘How Can ANY father kill his child’ mirror arguments seen in the late-Victorian courtroom, where the crimes of murderous fathers were considered a ‘contradiction of human nature.’<sup>1177</sup> Modern ideas about appropriate male behaviour are, then, more closely related to Victorian notions of manliness than may have been realised.

There has always been a macabre curiosity towards Broadmoor and there remains considerable scholarly and public interest today. A number of publications, written almost exclusively by former psychiatrists and psychotherapists of the hospital, have been produced detailing the workings of the institution and the treatment of patients in the twentieth century.<sup>1178</sup> Some former patients and journalists have also written about asylum life.<sup>1179</sup> Using this literature in conjunction with the research undertaken for this

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<sup>1177</sup> <http://www.dailymail.co.uk/femail/article-1240381/How-ANY-father-kill-child-As-man-guilty-ultimate-crime-question-chill-mother.html> [accessed 13 June 2011]; ‘The Kirkham Tragedy’, *Manchester Times*, 17 July 1886.

<sup>1178</sup> D. A. Black, *Broadmoor Interacts: Criminal Insanity Revisited* (London: Barry Rose Law Publishers Ltd., 2003); Murray Cox, *Shakespeare Comes to Broadmoor: The Actors are Come Hither – the Performance of Tragedy in a Secure Psychiatric Hospital* (Jessica Kingsley Publishers, 1992); Susan Dell and Graham Robertson, *Sentenced to Hospital: Offenders in Broadmoor* (Oxford: Oxford University Press, 1988); Harvey Gordon, *Broadmoor* (London: Psychology News Press, 2012); Ronald Rae Mowat, *Morbid Jealousy and Murder: A Psychiatric Study of Morbidly Jealous Murderers at Broadmoor* (London: Tavistock Publications, 1966).

<sup>1179</sup> Investigative journalist Marjorie Wallace wrote a highly sensational account of a set of twins committed to Broadmoor, *The Silent Twins: A Harrowing True Story of Sisters Locked in a Shocking Childhood Pact* (Vintage, 1996). Patrick McGrath, whose father was superintendent of Broadmoor in the twentieth century, wrote a novel allegedly based on his experiences growing up at the asylum, *Asylum* (London: Penguin Books, 1997). Some patients wrote about their time in twentieth century Broadmoor. John Edward Allen wrote about his escape from the institution, *Inside Broadmoor* (London: W. H. Allen, 1952). Also, F. P. Thompson, *Bound For Broadmoor* (London: Hodder & Stoughton, 1972) and *Back From Broadmoor* (London: Mowbrays, 1974); Warmark, *Guilty but Insane: A Broadmoor Autobiography* (London: Chapman and Hall, 1939).

thesis, we can gain some sense of how life at Broadmoor has changed since the nineteenth century. There are no available records for Broadmoor between the end of the nineteenth century and the First World War and thus we know very little of what happened in this period. Most of the published research concentrates on the period following the Second World War until the early 1990s.

The changing socio-political climate of the twentieth century affected life in the hospital. Broadmoor has never been and never will be a prison, and yet in the 1950s and 1960s there was distinct military feel to the hospital. As D. A. Black, a former psychiatrist at the institution described, it ‘had an atmosphere reminiscent of my national service days’, with staff saluting one another as they met in the corridors.<sup>1180</sup> There was also less greenery, and asphalted airing courts dominated.<sup>1181</sup> Patients’ movements around the asylum were increasingly restricted, bars were put on all the windows and rooms were locked.<sup>1182</sup> There were also changes in treatment. The 1940s witnessed the introduction of insulin coma therapy and Electro-Convulsive Therapy.<sup>1183</sup> During the 1960s, the use of drugs increased and ‘psychotherapy’ was introduced.<sup>1184</sup> Between 1989 and 1991 ‘dramatherapy’ was used and a number of Shakespearean tragedies were performed by actors from the Royal Shakespeare Company and The National Theatre.<sup>1185</sup> Through the performance of complex emotions by the actors (jealousy and anger, for example) the patients were encouraged to confront their crimes: ‘many patients were brought to a new realization of their problems.’<sup>1186</sup> This was not unlike the nineteenth century when, under John Conolly, Shakespearean plays were performed at Hanwell. Following the Second

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<sup>1180</sup> Black, *Broadmoor*, p. 74.

<sup>1181</sup> *Ibid.*, p. 101.

<sup>1182</sup> *Ibid.*, p. 122.

<sup>1183</sup> *Ibid.*, p. 127; Gordon, *Broadmoor*, p. 148.

<sup>1184</sup> Black, *Broadmoor*, p. 127.

<sup>1185</sup> Cox, *Shakespeare Comes to Broadmoor*.

<sup>1186</sup> Black, *Broadmoor*, p. 547.

World War and as a result of advances in medicine, the ‘environment’ (fresh air and exercise) was no longer a key part of treatment.<sup>1187</sup> Other changes also occurred. In the 1970s and 1980s, increasing concerns about trade practices, the use of cheap labour and the exploitation of patients put an end to patients’ making clothes, as well as working in the kitchen and stores.<sup>1188</sup> Broadmoor also changed shape. The height of its perimeter wall fluctuated in line with the perceived danger patients posed at any given time and with different superintendents, a research centre was built, as was a staff education centre.<sup>1189</sup> Changes in staff and patient populations also occurred. A qualified librarian and teachers were hired, and the chaplain assumed a less senior role than he had previously. During the early 1980s Broadmoor became a ‘problem hospital that no one knew what to do with.’<sup>1190</sup> As a result, the Superintendent was replaced by the Hospital Management Teams (HMT) for a few years. The increasing number of ethnic minorities in Britain was reflected at Broadmoor in both patient and staff make-up.<sup>1191</sup> Broadmoor’s patients are no longer primarily murderers and patients are sent there only if they present a ‘continuing danger to the public.’<sup>1192</sup> A significant change occurred in 2003 when it was announced that women were no longer to be sent to the hospital. In 2005 the last female patient was admitted, and by the end of September 2007 no women remained.

Reading the research of Susanne Dell and Graham Robertson, it is possible to gauge some understanding of patients’ experiences in the early 1980s. If we compare their findings to those presented in this thesis, we can see that despite the changing face of Broadmoor and new modes of treatment over the twentieth century, both the positive and negative reactions of patients to Broadmoor in the 1980s had resonances with those

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<sup>1187</sup> Ibid., p. 103.

<sup>1188</sup> Ibid., pp. 437.438-9

<sup>1189</sup> Ibid., pp. 243. 286. 291.

<sup>1190</sup> Ibid., p. 553.

<sup>1191</sup> Ibid., p. 93.

<sup>1192</sup> Ibid., p. 14.

of their Victorian predecessors. Like their nineteenth-century counterparts, some twentieth-century patients objected to the indeterminacy of their sentences, and wished they had been sent to prison instead. Other complaints included: the distance from their families; a fear of other patients; a fear of ‘becoming psychotic’; the loss of freedom; and the stigma of being locked up in Broadmoor.<sup>1193</sup> On the other hand, some patients said that they enjoyed the educational opportunities afforded to them.<sup>1194</sup> Others valued the companionship of the other patients; some believed they had ‘an easy life’ because they did not have to work and were fed regular meals; and others enjoyed the facilities provided for them, in particular the football ground.<sup>1195</sup> For some, just as in the nineteenth century, Broadmoor was a place of refuge and recovery.<sup>1196</sup>

In conjunction with studies of twentieth-century Broadmoor this thesis helps bridge gaps in the hospital’s history. It appears that late twentieth-century Broadmoor was not entirely different from Victorian Broadmoor. The education of patients and staff, the importance of employing outside entertainers, and the experiences of some patients, all showed some similarities. It also highlights the potential to discuss and engage with new themes: patients’ experiences, relationships forged within and maintained outside the asylum, and the position of Broadmoor not just within asylum history and debates about appropriate care for mentally-ill offenders, but also in other areas: family life, and popular and medical debates about crime, gender and insanity.

As happened in the nineteenth century through newspaper reports, twentieth and twenty-first century media have fed popular interest in criminal lunacy cases in their own ways. The trials of allegedly insane murderous mothers and fathers, such as those

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<sup>1193</sup> Dell and Robertson, *Sentenced*, pp. 37-38. 96.

<sup>1194</sup> In the twentieth century, patients could take GCSES, A Levels and Degrees at Broadmoor. Black, *Broadmoor*, p. 210.

<sup>1195</sup> Dell and Robertson, *Sentenced*, p. 39.

<sup>1196</sup> *Ibid.*, pp. 32. 39. 96.



previously discussed, are reported in the press. Cases garnering international attention also feed public interest in insanity, murder and crime. For instance, the trial of Anders Breivik, the Norwegian man who was found insane after he massacred sixty-nine youths in 2011, was televised and gathered considerable press attention.<sup>1197</sup> There is some public interest regarding where these people are detained and there remains intrigue towards Broadmoor. In the 1940s, members of the public could attend plays put on by the patients; they sold out every year. This practice has stopped, but in the twenty-first century Steve Hennessy used the asylum's case files to put together a series of plays about nineteenth and twentieth-century Broadmoor which, by his own account, were extremely popular.<sup>1198</sup> In addition, fiction and non-fiction books, such as those written by Pat McGrath, Simon Winchester, Mark Stevens and Marjorie Wallace remain popular. Unlike in the nineteenth century when journalists visited and reported positively on life inside the asylum, however, a cloud of mystery and secrecy surrounds the hospital today.<sup>1199</sup> Only the scandals and the escapes make the headlines, such as the recent revelation that during the 1980s the late Jimmy Saville visited and abused patients at the hospital after being granted full access to its wards.<sup>1200</sup> It seems unlikely that any more light will be shed on recent and current hospital life any time soon. The West London Mental Health Trust, under which Broadmoor is run, has closed access to most records concerning the hospital after the nineteenth century (and many records from the nineteenth century). Of course, we can access the published official reports from the hospital, and the accounts of Ronald Rae Mowat, Murray Cox, Dell and Roberston on the crimes, treatment and experiences of some patients in the mid-late twentieth century are

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<sup>1197</sup> <http://www.independent.co.uk/news/world/europe/breivik-to-dispute-insane-ruling-7619305.html> [accessed 17 September 2013].

<sup>1198</sup> Steve Hennessy, *Lullabies of Broadmoor: A Broadmoor Quartet* (London: Oberon Books, 2011).

<sup>1199</sup> Black, *Broadmoor*, p. 97.

<sup>1200</sup> <http://www.telegraph.co.uk/news/uknews/crime/jimmy-savile/9647718/Broadmoor-staff-said-Jimmy-Savile-was-a-psychopath-with-a-liking-for-children.html> [accessed 17 September 2013].

invaluable, but the intricate details of the lives of the staff and patients inside Broadmoor's walls, particularly in the twenty-first century, remain a mystery.

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Jones, William, D/H14/D2/2/1/215.  
Jones, William, D/H14/D2/2/1/650.  
Jordan, John, D/H14/D2/2/1/754.  
Kaufmann, Samuel, D/H14/D2/2/1/1077.  
Kelly, Henry, D/H14/D2/2/1/198.  
Kelly, Thomas, D/H14/D2/2/1/1058.  
Kelly, William, D/H14/D2/2/1/901.  
Kemp, William, D/H14/D2/2/1/615.  
Kendall, James, D/H14/D2/2/1/251.  
Kennedy, Henry, D/H14/D2/2/1/651.  
Kershaw, Thomas, D/H14/D2/2/1/246.  
Kinchington, George, D/H14/D2/2/1/183.

King, Thomas, D/H14/D2/2/1/1536.  
King, William, D/H14/D2/2/1/1225.  
Kingsford, Joseph James, D/H14/D2/2/1/1115.  
Kirkwood, Thomas, D/H14/D2/2/1/5.  
Knapp, Thomas, D/H14/D2/2/1/969.  
Knight, Samuel, D/H14/D2/2/1/877.  
Knowles, William, D/H14/D2/2/1/120.  
Knowlston, Robert, D/H14/D2/2/1/8.  
Lambert, John, D/H14/D2/2/1/987.  
Lane, John, D/H14/D2/2/1/634.  
Lanham, George, D/H14/D2/2/1/836.  
Lawrence, James, D/H14/D2/2/1/1118.  
Layton, James, D/H14/D2/2/1/73.  
Leesh, Henry, D/H14/D2/2/1/638.  
Lewis, Evan, D/H14/D2/2/1/1599.  
Lewis, John, D/H14/D2/2/1/1652.  
Lewis, John Alexander, D/H14/D2/2/1/1615.  
Liddall, John, D/H14/D2/2/1/964.  
Linaham, Dennis, D/H14/D2/2/1/1060.  
Lloyd, William, D/H14/D2/2/1/761.  
Longmore, George, D/H14/D2/2/1/1212.  
Loves, Thomas, D/H14/D2/2/1/1010.  
Ludlow, Arthur, D/H14/D2/2/1/1310.  
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 Stone, William, D/H14/D2/2/1/93.  
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Tining, Thomas, D/H14/D2/2/1/706.  
Tombs, Edward, D/H14/D2/2/1/332.  
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Varley, Joshua, D/H14/D2/2/1/716.  
Visone, Vincenzo, D/H14/D2/2/1/516.  
Walker, James, D/H14/D2/2/1/1277.  
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Walters, Edward, D/H14/D2/2/1/636.  
Warrener, John, D/H14/D2/2/1/1530.  
Watson, Henry, D/H14/D2/2/1/245.  
Watts, Frederick, D/H14/D2/2/1/701.  
Webb, Walter, D/H14/D2/2/1/1557.  
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Webster, George, D/H14/D2/2/1/703.  
Weedall, James, D/H14/D2/2/1/764.  
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Westall, Richard, D/H14/D2/2/1/1357.  
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Weston, Robert, D/H14/D2/2/1/1537.  
Wheeler, Thomas, D/H14/D2/2/1/67.  
White, Bruce, D/H14/D2/2/1/606.  
White, Jonathan, D/H14/D2/1/1/359.  
White, Patrick, D/H14/D2/2/1/248.  
White, Walter, D/H14/D2/2/1/722.  
Whittle, Peter, D/H14/D2/2/1/165.  
Wilkinson, Edward, D/H14/D2/2/1/1440.  
Williams, Llewellyn, D/H14/D2/2/1/1230.  
Williams, Richard, D/H14/D2/2/1/991.  
Willoughby, John, D/H14/D2/2/1/1258.  
Wilson, George, D/H14/D2/2/1/811.  
Wilson, Henry, D/H14/D2/2/1/1606.  
Winter, Samuel, D/H14/D2/2/1/1513.  
Wood, Joseph, D/H14/D2/2/1/1479.  
Wood, Noah, D/H14/D2/2/1/419.  
Wright, George, D/H14/D2/2/1/800.

Young, Robert, D/H14/D2/2/1/63.  
Young, William, D/H14/D2/2/1/191.  
Yzquierdo, Miguel, D/H14/D2/2/1/20.

Allen, Sarah, D/H14/D2/2/2/2.  
Bates, Sarah, D/H14/D2/2/2/398.  
Bennett, Mary, D/H14/D2/2/2/111.  
Benstead, Ellen, D/H14/D2/2/2/216.  
Davenport, Margaret, D/H14/D2/2/2/212.  
Davies, Ellen, D/H14/D2/2/2/16.  
Driver, Ruth, D/H14/D2/2/2/100.  
Dyson, Mary Ann, D/H14/D2/2/2/101.  
Haviland, Elizabeth, D/H14/D2/2/2/226.  
Ingham, Annie, D/H14/D2/2/2/183.  
McNeil, Mary, D/H14/D2/2/2/12.  
Ogden, Mary Ann, D/H14/D2/2/2/10.  
Rowe, Harriet, D/H14/D2/2/2/118.  
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